HOUSE DOCKET, NO. FILED ON: 1/14/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Robert A. DeLeo**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to child testimony in criminal proceedings

SECTION 1. Section 20 of chapter 233 of the General Laws, as appearing in the 2006 official edition, is hereby amended by striking the fourth clause and inserting in place thereof the following:--

Fourth, An unemancipated, minor child, shall not testify before a grand jury, trial of an indictment, complaint or other criminal proceeding, against a parent who maintains either physical custody, legal custody or both over said child, where the victim in such proceeding is not a member of said parent's family and who does not reside in the said parent's household. For the purposes of this clause the term "parent'' shall mean the natural or adoptive mother or father of said child.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

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| Name: | District/Address: |

**Robert A. DeLeo** **19th Suffolk**