

HOUSE BILL 390

IN THE HOUSE

January 24, 1979	Introduced and referred to Committee on Judiciary.
February 7, 1979	Committee recommend bill, as amended.
February 8, 1979	Printed and placed on members' desks.
February 9, 1979	Second reading, do not pass.

1 House BILL NO. 390 ~~390~~
2 INTRODUCED BY George Steyer Marjorie M.
3 Patricia Conroy Doyle Members of
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION John
5 26-1-902, MCA, TO PROVIDE AN EXCEPTION TO THE REPORTERS' Pat
6 CONFIDENCE ACT, POPULARLY KNOWN AS THE "SHIELD LAW", IN Wyatt
7 CRIMINAL CASES." Bob
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10

10 Section 1. Section 26-1-902, MCA, is amended to read:
11
12 "26-1-902. Extent of reporters' privilege. (1) Without
13 Except as provided in subsection (3), without his consent no
14 person engaged, or who was so engaged at the time the
15 information sought was procured, in the work of or connected
16 with or employed by any newspaper, news service, radio
17 station, television station, or community antenna television
18 service for the purpose of gathering, writing, editing, or
19 disseminating news may be examined as to or may be required
20 to disclose any information obtained or prepared or the
21 source of that information in any legal proceeding if the
22 information was gathered, received, or processed in the
23 course of his employment.

23 (2) * Except as provided in subsection (3), a person
24 engaged as described in subsection (1) may not be adjudged
25 in contempt by a judicial, legislative, administrative, or

1 any other body having the power to issue subpoenas for
2 refusing to disclose the source of any information or for
3 refusing to disclose any information obtained or prepared in
4 gathering, receiving, or processing information in the
5 course of his employment.

6 (3) Subsections (1) and (2) do not apply to criminal
7 proceedings, and in such proceedings a person engaged as
8 described in subsection (1) may be examined as to and
9 required to disclose any information described in subsection
10 (1) or the source of such information."

-End-

Approved by Committee
on Judiciary

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14 #26-1-902. Extent of reporters' privilege. (1) ~~Without~~

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25 course of his employment.

-END-

- 3 -

AB 390
SECOND READING