
A BILL FOR AN ACT

RELATING TO EVIDENCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 621, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§621- Limitation on compellable testimony from
5 journalists and newscasters; exception. (a) A journalist or
6 newscaster presently or previously employed or otherwise
7 associated with any newspaper, magazine, news agency, press
8 association, wire service, or radio or television transmission
9 station or network shall not be required by a legislative,
10 executive, or judicial officer or body, or any other authority
11 having the power to compel testimony or the production of
12 evidence, to disclose, by subpoena or otherwise:

13 (1) The source of any published or unpublished information
14 obtained by the person in the course of gathering,
15 receiving, or processing of information for
16 communication to the public; or

17 (2) Any unpublished information obtained or prepared by
18 the person in the course of gathering, receiving, or



1 processing information for communication to the
2 public.

3 (b) The limitation on compellable testimony established by
4 this section may be claimed by and afforded any individual who
5 can properly establish that the individuals has complied with
6 and met applicable standards of journalism ethics.

7 (c) This section shall not apply where:

8 (1) Probable cause exists to believe that the journalist
9 or newscaster has committed, is committing, or is
10 about to commit a crime; or

11 (2) The journalist or newscaster is a percipient witness
12 to the commission of a crime.

13 (d) No fine or imprisonment shall be imposed against
14 a journalist or newscaster for refusal to disclose information
15 privileged pursuant to this section."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Jim Auman
Tony Wain Gene Wain
[Signature]
TRICK Caldwell JAN 18 2008

Report Title:

Journalists and Newscasters; Disclosure

Description:

Protects the disclosure of sources for journalists and newscasters. Establishes an exception.

