

HCS HB 774 -- DISCLOSURE OF NEWS SOURCES

SPONSOR: Tilley (Jones, 89)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on General Laws by a vote of 6 to 1.

This substitute protects individuals and media entities from being required to disclose in any administrative, civil, or criminal proceeding the source of any published or unpublished information obtained by the individual or entity. The party seeking the source of the information may petition the circuit court of the county where the proceeding is located for a court order to require the individual to disclose his or her source. The court, in making its decision, must consider the nature of the proceeding, the merits of the claim, the available alternative means for establishing the source of the information, and the public interest in protecting the confidential source. The court is authorized to compel disclosure of the information if it does not involve any information required to be kept secret under federal or state law and the disclosure is essential to the protection of the public interest involved in the proceeding.

FISCAL NOTE: No impact on state funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that the bill provides a qualified privilege to media from being required to disclose confidential news sources. Currently, 31 states and the District of Columbia have source protection statutes, and Missouri already has case law recognizing the protection principle. Without the bill, media may be compelled to disclose confidential news sources creating a negative effect on future news sources.

Testifying for the bill were Representative Jones (89); Jim Robertson; and Missouri Broadcasters Association.

OPPOSERS: There was no opposition voiced to the committee.