

(9) ANY PRINTED, PHOTOGRAPHIC, MECHANICAL, OR ELECTRONIC MEANS OF DISSEMINATING NEWS AND INFORMATION TO THE PUBLIC.

(B) THE PROVISIONS OF THIS SECTION APPLY TO ANY PERSON WHO IS, OR HAS BEEN, EMPLOYED BY THE NEWS MEDIA IN ANY NEWS GATHERING OR NEWS DISSEMINATING CAPACITY.

(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, ANY JUDICIAL, LEGISLATIVE, OR ADMINISTRATIVE BODY, OR ANY BODY THAT HAS THE POWER TO ISSUE SUBPOENAS MAY NOT COMPEL ANY PERSON DESCRIBED IN SUBSECTION (B) OF THIS SECTION TO DISCLOSE:

(1) THE SOURCE OF ANY NEWS OR INFORMATION PROCURED BY THE PERSON WHILE EMPLOYED BY THE NEWS MEDIA, WHETHER OR NOT THE SOURCE HAS BEEN PROMISED CONFIDENTIALITY; OR

(2) ANY NEWS OR INFORMATION PROCURED BY THE PERSON WHILE EMPLOYED BY THE NEWS MEDIA, IN THE COURSE OF PURSUING PROFESSIONAL ACTIVITIES, FOR COMMUNICATION TO THE PUBLIC BUT WHICH IS NOT SO COMMUNICATED, IN WHOLE OR IN PART, INCLUDING:

(I) NOTES;

(II) OUTTAKES;

(III) PHOTOGRAPHS OR PHOTOGRAPHIC NEGATIVES;

(IV) VIDEO AND SOUND TAPES;

(V) FILM; AND

(VI) OTHER DATA, IRRESPECTIVE OF ITS NATURE, NOT ITSELF DISSEMINATED IN ANY MANNER TO THE PUBLIC.

(D) (1) A COURT MAY COMPEL DISCLOSURE OF NEWS OR INFORMATION, IF THE COURT FINDS THAT THE PARTY SEEKING NEWS OR INFORMATION PROTECTED UNDER SUBSECTION (C)(2) OF THIS SECTION HAS ESTABLISHED BY CLEAR AND CONVINCING EVIDENCE THAT:

(I) THE NEWS OR INFORMATION IS RELEVANT TO A SIGNIFICANT LEGAL ISSUE BEFORE ANY JUDICIAL, LEGISLATIVE, OR ADMINISTRATIVE BODY, OR ANY BODY THAT HAS THE POWER TO ISSUE SUBPOENAS;

(II) THE NEWS OR INFORMATION COULD NOT, WITH DUE DILIGENCE, BE OBTAINED BY ANY ALTERNATE MEANS; AND

(III) THERE IS AN OVERRIDING PUBLIC INTEREST IN DISCLOSURE.