

2018 Regular Session

HOUSE BILL NO. 292

BY REPRESENTATIVE AMEDEE

COURTS: Provides relative to the use of a facility dog by a witness during a court proceeding

1 AN ACT

2 To enact R.S. 15:284, relative to criminal trial procedure; to require the use of facility dogs
3 in certain circumstances; to authorize the court to allow facility dogs in other
4 circumstances; to provide notice to the court regarding the use of facility dogs; to
5 provide for jury instructions; to provide for definitions; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:284 is hereby enacted to read as follows:

9 §284. Facility dogs; use in court; procedure

10 A. The court shall allow a witness who is either under seventeen years of age
11 or who has a developmental disability as defined in R.S. 28:451.2 to have a facility
12 dog, if available, accompany them while testifying in court.

13 B. The court may allow any witness who does not meet the criteria provided
14 for in Subsection A of this Section to have a facility dog, if available, accompany
15 them while testifying in court.

16 C. A party seeking the use of a facility dog must file a notice with the court
17 that includes the certification of the dog, the name of the person or entity who
18 certified the dog, and evidence that the dog is insured.

19 D. To ensure that the presence of a facility dog does not influence the jury
20 or is not a reflection on the truthfulness of any testimony that is offered by the victim

1 or witness, the court shall instruct the jury on the role of the facility dog and that the
2 facility dog is a trained animal.

3 E. For the purposes of this Section, "facility dog" means a dog that is
4 certified and a graduate of an assistance dog organization that is accredited by
5 Assistance Dogs International or a similar internationally recognized organization
6 whose main purpose is to grant accreditation to assistance dog organizations based
7 on standards of excellence in all areas of assistance dog acquisition, training, and
8 placement. A "facility dog" is one that is specially trained to provide emotional
9 support to witnesses testifying in judicial proceedings without causing a distraction
10 during the proceedings.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 292 Original

2018 Regular Session

Amedee

Abstract: Requires the use of facility dogs for certain witnesses and authorizes the court to allow their use for other witnesses.

Proposed law requires the court to allow a witness who is either under 17 years of age or who has a developmental disability to have a facility dog, if available, accompany them while testifying in court.

Proposed law authorizes the court to allow the use of facility dogs in cases involving all other witnesses.

Proposed law requires notice to the court and provides for jury instructions regarding the role of the facility dog.

Proposed law defines "facility dog" as a dog that is certified and a graduate of an assistance dog organization that is accredited and be specially trained to provide emotional support to witnesses testifying in judicial proceedings without causing a distraction during the proceedings.

(Adds R.S. 15:284)