

2018 Regular Session

HOUSE BILL NO. 292

BY REPRESENTATIVES AMEDEE, BACALA, BAGNERIS, TERRY BROWN, STEVE CARTER, COUSSAN, CREWS, DEVILLIER, EDMONDS, GUINN, LANCE HARRIS, HODGES, HOFFMANN, HORTON, JACKSON, JONES, JORDAN, LEBAS, MIGUEZ, JAY MORRIS, NORTON, RICHARD, STOKES, THOMAS, AND WRIGHT

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____