

ENROLLED

CS/CS/HB 151

2017 Legislature

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An act relating to proceedings involving minors or certain other persons; amending s. 92.55, F.S.; providing that judges may allow the use of certain therapy animals or facility dogs in proceedings involving abuse, abandonment, or neglect; allowing such animals to be used when taking the testimony of certain other persons; providing definitions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (5) of section 92.55, Florida Statutes, is amended to read:

92.55 Judicial or other proceedings involving victim or witness under the age of 18, a person who has an intellectual disability, or a sexual offense victim or witness; special protections; use of ~~registered service or~~ therapy animals or facility dogs.-

(5) The court may set any other conditions it finds just and appropriate when taking the testimony of a victim or witness under the age of 18, a person who has an intellectual disability, or a sexual offense victim or witness ~~child victim or witness or a sexual offense victim or witness~~, including the use of a ~~service or~~ therapy animal or facility dog ~~that has been~~

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26 ~~evaluated and registered according to national standards, in any~~
27 ~~proceeding involving a sexual offense~~ or child abuse,
28 abandonment, or neglect.

29 (a) When deciding whether to permit a victim or witness
30 under the age of 18, a person who has an intellectual
31 disability, or a sexual offense victim or witness ~~child victim~~
32 ~~or witness or sexual offense victim or witness~~ to testify with
33 the assistance of a ~~registered service or therapy animal~~ or
34 facility dog, the court shall consider the age of the child
35 victim or witness, the age of the sexual offense victim or
36 witness at the time the sexual offense occurred, the interests
37 of the child victim or witness or sexual offense victim or
38 witness, the rights of the parties to the litigation, and any
39 other relevant factor that would facilitate the testimony by the
40 victim or witness under the age of 18, person who has an
41 intellectual disability, or sexual offense victim or witness
42 ~~child victim or witness or sexual offense victim or witness.~~

43 (b) For purposes of this subsection the term:

44 1. "Facility dog" means a dog that has been trained,
45 evaluated, and certified as a facility dog pursuant to industry
46 standards and provides unobtrusive emotional support to children
47 and adults in facility settings.

48 2. "Therapy animal" means an animal that has been trained,
49 evaluated, and certified as a therapy animal pursuant to
50 industry standards by an organization that certifies animals as

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51 | appropriate to provide animal therapy.

52 | Section 2. This act shall take effect July 1, 2017.