

CHAPTER 2017-13

Committee Substitute for Committee Substitute for House Bill No. 151

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

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

(b) For purposes of this subsection the term:

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

2. “Therapy animal” means an animal that has been trained, evaluated, and certified as a therapy animal pursuant to industry standards by an organization that certifies animals as appropriate to provide animal therapy.

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

Approved by the Governor May 9, 2017.

Filed in Office Secretary of State May 9, 2017.