

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Civil Justice & Claims
 2 Subcommittee

3 Representative Brodeur offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
 7 Section 1. Subsection (5) of section 92.55, Florida
 8 Statutes, is amended to read:

9 92.55 Judicial or other proceedings involving victim or
 10 witness under the age of 18, a person who has an intellectual
 11 disability, or a sexual offense victim or witness; special
 12 protections; use of ~~registered~~ service animals, ~~or~~ therapy
 13 animals, or facility dogs.

14 (5) The court may set any other conditions it finds just
 15 and appropriate when taking the testimony of a ~~child victim or~~
 16 ~~witness or a sexual offense victim or witness~~ victim or witness

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17 under the age of 18, a person who has an intellectual
18 disability, or a sexual offense victim or witness, including the
19 use of a service animal, ~~or therapy animal,~~ or facility dog ~~that~~
20 ~~has been evaluated and registered according to national~~
21 ~~standards,~~ in any proceeding involving a sexual offense or child
22 abuse, abandonment, or neglect.

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

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

38 1. "Service animal" means an animal as defined in s.
39 413.08.

40 2. "Therapy animal" means an animal that is not considered
41 a service animal but has been trained and passed a nationally

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42 recognized skills and aptitude evaluation by an organization
43 that certifies animals as appropriate to provide animal therapy.

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

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51 **T I T L E A M E N D M E N T**

52 Remove everything before the enacting clause and insert:
53 An act relating to proceedings involving minors or persons with
54 intellectual disabilities; amending s. 92.55, F.S.; providing
55 that judges may allow the use of certain service animals,
56 therapy animals, or facility dogs in proceedings involving abuse
57 abandonment, or neglect; allowing such animals to be used when
58 taking the testimony of a person who has an intellectual
59 disability; providing an effective date.