

SENATE BILL 77

D2

7lr0843

(PRE-FILED)

By: **Senator Simonaire**

Requested: October 12, 2016

Introduced and read first time: January 11, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County and Harford County – Courthouse Dog and Child Witness**
3 **Pilot Program**

4 FOR the purpose of expanding the application of the Courthouse Dog and Child Witness
5 Pilot Program to civil court proceedings by altering the definition of “child witness”;
6 and generally relating to the Courthouse Dog and Child Witness Pilot Program.

7 BY repealing and reenacting, with amendments,
8 Chapter 467 of the Acts of the General Assembly of 2016
9 Section 1

10 BY repealing and reenacting, without amendments,
11 Chapter 467 of the Acts of the General Assembly of 2016
12 Section 2

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

Chapter 467 of the Acts of 2016

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That:

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) “Child witness” means a witness who is a minor when the witness
20 testifies in a [criminal] COURT proceeding.

21 (3) “Facility dog” means a dog that has:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) graduated from a program of an assistance dog organization that
2 trains dogs for the purpose of reducing stress in a child witness;

3 (ii) received 2 years of training;

4 (iii) passed the same public access test as a service dog; and

5 (iv) been teamed with a facility dog handler.

6 (4) "Facility dog handler" means a person who has received training on:

7 (i) offering the person's animal for assistance purposes from an
8 organization accredited by Assistance Dogs International or an equivalent organization;
9 and

10 (ii) court protocol and policies, including the expected role of an
11 animal assistance team and how not to interfere with evidence collection or the effective
12 administration of justice.

13 (5) "Therapy dog" means a dog that has:

14 (i) received training to provide affection and comfort to children who
15 need emotional support; and

16 (ii) been teamed with a therapy dog handler.

17 (6) "Therapy dog handler" means a person who has received training on:

18 (i) offering the person's animal for assistance purposes from an
19 organization that insures, registers, or certifies therapy dogs and their handlers; and

20 (ii) court protocol and policies, including the expected role of an
21 animal assistance team and how not to interfere with evidence collection or the effective
22 administration of justice.

23 (b) There is a Courthouse Dog and Child Witness Pilot Program in the circuit
24 courts for Anne Arundel County and Harford County.

25 (c) The purpose of the pilot program is to determine whether to establish a
26 structured, defined, and systematic approach for providing a courthouse dog to a child
27 witness in any circuit court proceeding in the State.

28 (d) To accomplish the purpose of the pilot program, the Administrative Office of
29 the Courts shall:

30 (1) develop a plan to implement the pilot program;

1 (2) establish the procedures that a party in a court proceeding must follow
2 to request that a therapy dog and therapy dog handler or facility dog and facility dog
3 handler assist a child witness; and

4 (3) ensure that the details of the pilot program are publicly available.

5 (e) On or before September 30, 2019, the Administrative Office of the Courts shall
6 report to the Governor and, in accordance with § 2-1246 of the State Government Article,
7 the General Assembly on the operation and results of the pilot program.

8 (f) The Administrative Office of the Courts may adopt rules to implement this
9 section.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2016. It shall remain effective for a period of 3 years and, at the end of September
12 30, 2019, with no further action required by the General Assembly, this Act shall be
13 abrogated and of no further force and effect.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
15 1, 2017.