

1-1 By: Harris, et al. (Senate Sponsor - Whitmire) H.B. No. 1071
 1-2 (In the Senate - Received from the House April 12, 2021;
 1-3 April 14, 2021, read first time and referred to Committee on
 1-4 Criminal Justice; May 6, 2021, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
 1-6 May 6, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 1071 By: Whitmire

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the presence of a qualified facility dog in certain
 1-20 court proceedings.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 21, Government Code, is amended by
 1-23 adding Section 21.012 to read as follows:

1-24 Sec. 21.012. PRESENCE OF QUALIFIED FACILITY DOG IN COURT
 1-25 PROCEEDING. (a) In this section, "qualified facility dog" means a
 1-26 dog that is a graduate of a program operated by an assistance dog
 1-27 organization that is a member of a nationally recognized assistance
 1-28 dog association.

1-29 (b) Any party to an action filed in a court in this state in
 1-30 which a proceeding related to the action will be held may petition
 1-31 the court for an order authorizing a qualified facility dog to be
 1-32 present with a witness who is testifying before the court through:

- 1-33 (1) in-person testimony; or
- 1-34 (2) closed-circuit video teleconferencing testimony.

1-35 (c) The court may enter an order authorizing a qualified
 1-36 facility dog to accompany a witness testifying at the court
 1-37 proceeding if:

- 1-38 (1) the presence of the dog will assist the witness in
 1-39 providing testimony; and
- 1-40 (2) the party petitioning for the order provides proof
 1-41 of liability insurance coverage in effect for the dog.

1-42 (d) A handler who is trained to manage the qualified
 1-43 facility dog must accompany the dog provided for a witness at a
 1-44 court proceeding.

1-45 (e) A party to the action must petition the court for an
 1-46 order under Subsection (b) not later than the 14th day before the
 1-47 date of the court proceeding.

1-48 (f) A court may:

- 1-49 (1) impose restrictions on the presence of the
 1-50 qualified facility dog during the court proceeding; and
- 1-51 (2) issue instructions to the jury, as applicable,
 1-52 regarding the presence of the dog.

1-53 SECTION 2. This Act takes effect September 1, 2021.

1-54 * * * * *