

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 18, 2021

TO: Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1636 by Sherman, Sr. (Relating to allowing therapy or facility dogs to accompany a child or a person with a disability during testimony in certain criminal cases.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to provide that, on the motion of any party or a parent, managing conservator, guardian, guardian ad litem of a child or a person with a disability, or special advocate for a child, the court may allow a witness who is a child or a person with a disability to have a therapy or facility dog accompany the witness during that witness's testimony in certain circumstances. The bill would require the court to take appropriate measures to ensure the presence of a therapy or facility dog is as unobtrusive and nondisruptive as possible. Under the bill's provisions, where a facility or therapy dog is used, on request of any party the court must provide appropriate instruction to the jury regarding the dog and dog handler's presence to prevent prejudice for or against a party. The bill would not prevent the court from removing or excluding a therapy or facility dog from the courtroom to maintain order or ensure the fair presentation of evidence.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

Local Government Impact

The Texas Association of Counties does not anticipate a significant fiscal impact to counties.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, DKN, BH, AF