

1 HB460  
2 174182-2  
3 By Representatives Whorton (I), Mooney, Hanes, Whorton (R),  
4 Ledbetter, Pettus, Rowe, Fridy, Hurst, Millican, Johnson (R),  
5 Fincher, Morrow, Beech, Wadsworth, Standridge, Drake, Carns  
6 and Holmes (M)  
7 RFD: Judiciary  
8 First Read: 22-MAR-16

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8 SYNOPSIS: Under existing law, service dogs and  
9 personal assistance service dogs are permitted in  
10 public areas.

11 This bill would allow for the use of a  
12 certified facility dog, as defined, in legal  
13 proceedings when permitted by the judge to assist a  
14 victim or witness, to reduce unnecessary emotional  
15 distress experienced by a victim or witness and  
16 allow full and factual testimony.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT

21  
22 To allow for the use of a certified facility dog in  
23 certain legal proceedings involving a witness or victim when  
24 permitted by the judge; and to provide for the definition and  
25 criteria of a dog qualifying as a certified facility dog and a  
26 certified handler.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. This act shall be known as Willow's Law.

2           Section 2. (a) For purposes of this act, a certified  
3 facility dog is an expertly trained working dog that is a  
4 graduate from an assistance dog organization that is a member  
5 of Assistance Dogs International, a nonprofit organization  
6 that sets standards of training for the health, welfare, task  
7 work, and oversight for assistance dogs and their handlers. A  
8 certified facility dog must have received two years of  
9 specialized training and must have passed the same public  
10 access test as a service dog.

11           (b) In a legal proceeding, to reduce the stress of  
12 the witness and to enhance the ability of the court to obtain  
13 full and accurate testimony, the court may allow a certified  
14 facility dog to accompany a victim or witness while  
15 testifying, if requested, and if a certified facility dog is  
16 available. If the court, in its sole discretion, grants the  
17 use of a certified facility dog, the certified facility dog  
18 shall be accompanied by a certified handler who has received  
19 training from an organization accredited by Assistance Dogs  
20 International and has received training on the protocols and  
21 policies of legal proceedings and the role of the certified  
22 facility dog and certified handler to assure there is no  
23 interference with the collection of evidence and testimony or  
24 the administration of justice. If a jury has been empaneled in  
25 the legal proceeding, the certified facility dog shall be  
26 accompanied by the certified handler to the witness stand with  
27 the witness outside of the presence of the jury and the

1 certified handler shall remain nearby. Subsequently, the jury  
2 shall be seated and the court shall inform the jury on the  
3 presence of the certified facility dog, whose presence shall  
4 at all times be obscured from the jury, and instruct the jury  
5 that the presence of a certified facility dog should not  
6 create any prejudice to any party.

7 (c) Subject to the Alabama Rules of Criminal  
8 Procedure, if requested by either party in a legal proceeding,  
9 the court may examine and confirm the credentials of the  
10 certified facility dog and certified handler.

11 Section 3. This act shall become effective on the  
12 first day of the third month following its passage and  
13 approval by the Governor, or its otherwise becoming law.