

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB19-1220 be amended as follows:

- 1 Amend printed bill, page 3, strike lines 2 through 5 and substitute:
  - 2 "(2) (a) THE COURT MAY, UPON MOTION OF A PARTY OR UPON ITS
  - 3 OWN MOTION, ORDER THAT A WITNESS'S TESTIMONY BE OFFERED WHILE A
  - 4 COURT FACILITY DOG IS IN THE COURTROOM DURING THE TESTIMONY OF
  - 5 THE WITNESS IF:".
  
- 6 Page 3, line 6, after "PROCEEDING;" insert "AND".
  
- 7 Page 3, strike line 7 and substitute:
  - 8 "(II) THE JUDGE DETERMINES BY A PREPONDERANCE OF THE
  - 9 EVIDENCE THAT:".
  
- 10 Page 3, line 8, before "COURT" insert:
  - 11 "(A) THE PRESENCE OF A".
  
- 12 Page 3, line 10, after "TESTIMONY;" strike "AND".
  
- 13 Page 3, line 11, strike "(III) ARRANGEMENTS" and substitute:
  - 14 "(B) THE ARRANGEMENTS".
  
- 15 Page 3, line 13, strike "PROCEEDINGS." and substitute "PROCEEDINGS;".
  
- 16 Page 3, after line 13 insert:
  - 17 "(C) NO PREJUDICE WOULD RESULT TO ANY PARTY DUE TO THE
  - 18 PRESENCE OF A COURT FACILITY DOG WITH THE WITNESS; AND
  - 19 (D) OTHER METHODS TO REDUCE THE WITNESS'S ANXIETY OR
  - 20 ENHANCE THE ABILITY OF THE COURT TO RECEIVE FULL AND ACCURATE
  - 21 TESTIMONY DO NOT REASONABLY EXIST.".
  
- 22 Page 3, lines 19 through 20, strike "THE WITNESS IS ACCOMPANIED BY".
  
- 23 Page 3, line 20, after "DOG" insert "IS PRESENT".
  
- 24 Page 3, line 22, strike "ACCOMPANIMENT" and substitute "PRESENCE".
  
- 25 Page 3, after line 23 insert:
  - 26 "(4) NO COURT IS REQUIRED TO ALLOW FOR THE USE OF A COURT
  - 27 FACILITY DOG AT ANY COURT PROCEEDING.".
  
- 28 Renumber succeeding subsections accordingly.

- 1 Page 3, line 25, strike "ACCOMPANYING A WITNESS".
- 2 Page 3, line 27, strike "SHALL" and substitute "MAY".
- 3 Page 3, line 27, strike "JURY" and substitute "JURY, IF A JURY
- 4 INSTRUCTION IS REQUESTED BY A PARTY WHO OBJECTED TO THE PRESENCE
- 5 OF THE COURT FACILITY DOG OR UPON AGREEMENT OF THE PARTIES,".

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