



Legislative
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HB 19-1144

FISCAL NOTE

Drafting Number: LLS 19-0785
Prime Sponsors: Rep. Sullivan

Date: February 6, 2019
Bill Status: House Judiciary
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Bill Topic: COURT FACILITY DOG FOR CHILD WITNESS TESTIMONY

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>)	<input checked="" type="checkbox"/> Local Government (<i>minimal</i>)
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill allow for the use of a court facility dog for a child witness under the age of 12 in certain circumstances. The bill increases state and local workload by a minimal amount.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

Upon a motion, this bill allows a child witness under the age of 12 to be accompanied by a court facility dog in the courtroom or on the witness stand if:

- testimony is taken during the trial;
- the judge determines that testimony by the witness would result in emotional distress or trauma that would limit his or her ability to reasonably communicate; and
- arrangements for an available court dog would not interfere with efficient trial proceedings.

A motion for a court facility dog must be filed no later than 14 days prior to the trial. A judge has the authority to terminate the use of the court facility dog at any time prior to or during witness testimony. Instructions are to be provided by the court to the jury on the role of the court dog to ensure that the presence of the dog does not influence the jury.

State Expenditures

Beginning in FY 2019-20, this bill increases trial court workload in the Judicial Department by a minimal amount to process additional motions to allow for the use of a court facility dog. Workload also increases to provide the jury with instructions on the use of the dog. This workload can be accomplished within existing resources and no appropriation is required.

Local Government

Similar to the state, beginning in FY 2019-20, this bill minimally increases City and County of Denver workload to process motions and provide jury instructions on the use of a court facility dog in Denver County court.

Effective Date

The bill takes effect July 1, 2019.

State and Local Government Contacts

Judicial