

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2 Representative Cross offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

6 Section 1. Section 828.035, Florida Statutes, is created to
7 read:

8 828.035 Courtroom animal advocates.-

9 (1) In any prosecution or other court proceeding under s.
10 413.081, s. 843.19, or this chapter or in any civil or criminal
11 proceeding regarding the welfare or custody of a cat or dog, the
12 court may order, upon its own initiative or upon the request of
13 a party or counsel for a party, that a separate advocate be
14 appointed to represent the interests of justice. If a court
15 orders that an advocate be appointed to represent the interests
16 of justice, the court must appoint such an advocate who meets

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17 the requirements of subsection (3). A decision by the court
18 denying a request to appoint a separate advocate to represent
19 the interests of justice is not subject to appeal.

20 (2) An advocate appointed by the court pursuant to
21 subsection (1) may do all of the following:

22 (a) Monitor the case.

23 (b) Consult any individual who has information that could
24 aid the judge or the finder of fact and review records relating
25 to the condition of the cat or dog and the defendant's actions,
26 including, but not limited to, records from animal control
27 officers, veterinarians, and police officers.

28 (c) Attend hearings.

29 (d) Present information or recommendations to the court
30 pertinent to determinations that relate to the interests of
31 justice, provided that such information and recommendations are
32 based solely upon the duties authorized pursuant to this
33 subsection.

34 (3) To serve, on a voluntary basis, as an advocate under
35 this section, an individual must be an attorney or a certified
36 emeritus lawyer under rules of The Florida Bar who has knowledge
37 of animal issues and the legal system or must be a law school
38 student who has an interest in animal issues and the legal
39 system and who is certified by the Florida Supreme Court as a
40 certified legal intern in this state.

41 (4) This section does not apply to prosecutions or
42 proceedings involving an entity accredited through a nationally

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43 or internationally recognized zoological or aquarium
44 accreditation organization.

45 Section 2. This act shall take effect July 1, 2023.

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47 **T I T L E A M E N D M E N T**

48 Remove everything before the enacting clause and insert:
49 An act relating to appointment of courtroom animal
50 advocates; creating s. 828.035, F.S.; authorizing a court
51 to order that a separate advocate be appointed in the
52 interests of justice for certain civil and criminal
53 proceedings regarding a cat or dog's welfare or custody;
54 providing that a judge's decision denying an appointment is
55 not subject to appeal; authorizing an appointed advocate to
56 take certain actions involving the proceedings; providing
57 requirements for an individual to serve as an advocate;
58 providing applicability; providing an effective date.