



# Tennessee Senate

## PUBLIC CHAPTER NO. 167

### SENATE BILL NO. 391

By Hatcher

Substituted for: House Bill No. 762

By Littleton

AN ACT to amend Tennessee Code Annotated, Title 24; Title 36; Title 37 and Title 40, relative to certified facility dogs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, is amended by adding the following as a new section:

#### **24-7-126.**

(a) As used in this section:

(1) "Assistance dog organization" means a nonprofit organization that sets standards of training for the health, welfare, task work, and oversight of assistance dogs and assistance dog handlers;

(2) "Certified facility dog" means a trained working dog that has:

(A) Documentation showing that the certified facility dog is a graduate of an assistance dog organization;

(B) At least two (2) years of training and passed the service dog public access test;

(C) A current annual certificate of health from a veterinarian licensed in this state; and

(D) Proof of liability insurance in the minimum amount of five hundred thousand dollars (\$500,000); and

(3) "Certified handler" means a person who has received training from an assistance dog organization and has received training on the protocols and policies of legal proceedings and the role of the certified facility dog and certified handler to ensure that there is no interference with the collection of evidence, presentation of testimony, or administration of justice.

(b) The court may allow a certified facility dog to accompany a victim or other witness while testifying or in other court proceedings for the purpose of reducing the stress of the witness and to enhance the ability of the court to obtain full and accurate testimony.

(c) If a court allows the use of a certified facility dog to accompany a witness on the witness stand during a court proceeding in which a jury has been empaneled, then:

(1) The certified facility dog must be accompanied by a certified handler to and from the witness stand outside the presence of the jury and the certified handler must maintain a position in the courtroom within view of the witness stand during the witness's testimony; and

(2) The court shall inform the jury of the presence of the certified facility dog and instruct the jury that the presence of the certified facility dog shall not be construed to prejudice any party.

(d) During trial proceedings, the court must take all necessary precautions to obscure the presence of the certified facility dog from the jury as much as possible.

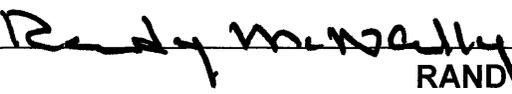
(e) A certified facility dog must wear visible markings identifying the dog as a certified facility dog while working.

(f) Prior to the use of a certified facility dog in a court proceeding, the party seeking to use the certified facility dog must file a motion with the court requesting approval of the use of the certified facility dog. The court may examine and confirm the credentials of the certified facility dog and the certified handler.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: March 31, 2025

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 11<sup>th</sup> day of April 2025

  
BILL LEE, GOVERNOR