## HB421 ENROLLED



- 1 HB421
- 2 T4MI519-3
- 3 By Representatives Faulkner, Stringer, Pettus, Woods, Colvin,
- 4 Bolton, Hendrix, Bedsole, Treadaway
- 5 RFD: Public Safety and Homeland Security
- 6 First Read: 04-Apr-24

## HB421 Enrolled



1 Enrolled, An Act,

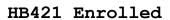
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- Relating to the Polygraph Examiners Board; to amend
- 4 Sections 34-25-2, 34-25-3, and 34-25-20, Code of Alabama 1975,
- 5 to define "polygraph device"; to specify that a polygraph
- 6 device does not include equipment or devices used for the
- 7 prupose of computer voice stress analysis; and to make
- 8 nonsubstantive, technical revisions to update the existing
- 9 code language to current style.
- 10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
- 11 Section 1. Sections 34-25-2, 34-25-3, and 34-25-20,
- 12 Code of Alabama 1975, are amended to read as follows:
- 13 "\$34-25-2
- 14 For the purposes of this chapter, the following terms
- 15 shall have the following respective meanings ascribed by this
- 16 section:
- 17 (1) BOARD. The Polygraph Examiners Board.
- 18 (2) CHAIRMANCHAIR. That The member of the Polygraph
- 19 Examiners Board selected by the board to act as chairmanchair.
- 20 (3) INTERNSHIP. The study of polygraph examinations and
- of the administration of polygraph examinations by a trainee
- 22 under the personal supervision and control of a polygraph
- examiner in accordance with a course of study prescribed by
- 24 the board at the commencement of such the internship.
- 25 (4) PERSON. Any natural person, firm, association,
- 26 copartnership, or corporation.
- 27 (5) POLYGRAPH EXAMINER. Any person who uses
- 28 instrumentation described herein in this chapter to test or

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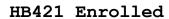


29	question individuals for the purpose of detecting deception or
30	verifying truth of statements, or any person who holds himself
31	or herself out to be a <del>lie detector operator or polygraph</del>
32	examiner, or any person who purports to be able to detect
33	
	deception or verify truth of statements through
34	instrumentation or the use of a mechanical device utilizing a
35	polygraph instrument.
36	(6) POLYGRAPH DEVICE. An instrument that, at a minimum,
37	records visually, permanently, and simultaneously a subject's
38	cardiovascular pattern, respiratory pattern, and galvanic skin
39	response. A polygraph device does not include equipment or
40	devices used for the purpose of computer voice stress
41	analysis."
42	<b>"</b> §34-25-3
43	(a) Every polygraph examiner shall use an instrument
44	which, as a minimum, records visually, permanently, and
45	simultaneously:
46	(1) A subject's cardiovascular pattern;
47	(2) A subject's respiratory pattern; and
48	(3) A subject's galvanic skin response a polygraph
49	device during a polygraph examination.
50	(b) Patterns of other physiological changes in addition
51	to subdivisions (1), (2), and (3) of subsection (a) may also
52	be recorded during a polygraph examination.
53	(c) The use of any instrument or polygraph device to
54	detect or to verify the truth of statements which does not
55	meet these minimum instrumentation requirements required in
56	Section 34-25-2 is hereby prohibited."





57	<b>"</b> §34-25-20
58	(a) It shall be unlawful for any person, including a
59	city, county, or state employee, to administer polygraph
60	examinations or attempt to hold himself or herself out as a
61	polygraph examiner without a license approved by the board and
62	issued by the board.
63	(b) It shall be unlawful for any person, including
64	city, county, or state employees, to administer polygraph
65	examinations utilizing any polygraph device or instrumentation
66	which that does not comply with Section 34-25-3 meet the
67	requirements of Section 34-25-2."
68	Section 2. This act shall become effective immediately.





_	Speaker of the House of Representatives	
_		
_	President and Presiding Officer of the Senate	
	House of Representatives	
I	hereby certify that the within Act originated in	and
	John Treadwell	
	Clerk	
Senate	08-May-24	Passed
	was pass	House of Representatives  I hereby certify that the within Act originated in was passed by the House 16-Apr-24, as amended.  John Treadwell Clerk