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HOUSE BILL NO. 2812

House Amendments in [] — February 3, 2003

A *BILL to amend and reenact §§ 54.1-1801 and 54.1-1805 of the Code of Virginia, relating to professions and occupations; regulation of polygraph examiners.*

Patron Prior to Engrossment—Delegate Cosgrove

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That §§ 54.1-1801 and 54.1-1805 of the Code of Virginia are amended and reenacted as follows:**

§ 54.1-1801. Licenses.

A. All polygraph examiners shall be licensed pursuant to this chapter.

B. No person, other than a federal, state or local law-enforcement officer acting in accordance with subsection B of § 54.1-1805, shall operate any instrument or device to detect deception or verify the truth of statements that does not meet the minimum instrumentation requirements set forth in § 54.1-1805 or use any title or make any representation tending to indicate that he is qualified to detect deception or verify truth of statements through the use of such instrument or device.

§ 54.1-1805. Instrument to be used; limitation.

A. Each examiner shall use an instrument ~~which~~ *that* records permanently and simultaneously the subject's cardiovascular and respiratory patterns as minimum standards, but such an instrument may record additional physiological changes pertinent to the determination of truthfulness.

B. The use of any instrument to detect deception or verify truth of statements that does not meet the minimum instrumentation requirements set forth in this section or the regulations of the Director is prohibited. The provisions of this subsection shall not apply to the use of such instrument by a federal, state or local law-enforcement officer in the course of his [full-time employment employment with his law-enforcement agency] where the officer is certified to operate such instrument.

[2. The provisions of this act shall expire on July 1, 2005.]

ENGROSSED

HB2812E