

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-1806 of the Code of Virginia and to amend the Code of Virginia by*  
3 *adding a section numbered 54.1-1802.1 and to repeal § 54.1-1802 of the Code of Virginia, relating*  
4 *to the Department of Professional and Occupational Regulation; powers and duties with respect to*  
5 *polygraph examiners.*

6 [H 1219]

7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That § 54.1-1806 of the Code of Virginia is amended and reenacted and that the Code of**  
10 **Virginia is amended by adding a section numbered 54.1-1802.1 as follows:**

11 *§ 54.1-1802.1. Powers and duties of the Department.*

12 *The Department shall administer and enforce the provisions of this chapter. In addition to the*  
13 *powers and duties otherwise conferred by the law, the Director shall have the powers and duties of a*  
14 *regulatory board as contained in §§ 54.1-201 and 54.1-202 and shall have the power and duty to:*

15 *1. Promulgate regulations necessary for the reasonable administration of this chapter in accordance*  
16 *with the Administrative Process Act (§ 2.2-4000 et seq.);*

17 *2. Charge each applicant for licensure and for renewals of licensure a nonrefundable fee subject to*  
18 *the provisions of § 54.1-113 and subdivision 4 of § 54.1-201; and*

19 *3. Conduct investigations to determine the suitability of applicants for licensure and to determine the*  
20 *licensee's compliance with applicable statutes and regulations.*

21 *§ 54.1-1806. Prohibition of use of certain questions on polygraph tests for employment.*

22 *No licensed polygraph operator shall, during a polygraph examination required as a condition of*  
23 *employment, ask any question concerning the sexual activities of the person being examined if the*  
24 *question violates state or federal law. A violation of this section shall constitute grounds for disciplinary*  
25 *action pursuant to § 54.1-1802.1.*

26 **2. That § 54.1-1802 of the Code of Virginia is repealed.**

ENROLLED

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