

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB476

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Carrico

3. Committee: Passed both houses.

4. Title: Regulation of polygraphs and other detection devices.

5. Summary: This bill authorizes the Director of the Department of Professional and Occupational Regulation to approve the use of mechanical devices used to detect deception or verify truthfulness other than polygraphs. The use of such devices would be regulated, and operators of such devices would be required to be licensed just as polygraph examiners are currently licensed.

6. Fiscal Impact Estimates: Final.

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2010-11	\$15,000	0.00	NGF
2011-12	0	0.00	NGF
2012-13	0	0.00	NGF
2013-14	0	0.00	NGF
2014-15	0	0.00	NGF
2015-16	0	0.00	NGF

6b. Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2010-11	4,750	NGF
2011-12	2,750	NGF
2012-13	2,750	NGF
2013-14	2,750	NGF
2014-15	2,750	NGF
2015-16	2,750	NGF

7. Budget Amendment Necessary: No.

8. Fiscal Implications: This bill expands the definition of devices used to detect deception or verify truthfulness, and provides for regulation of operators of such equipment. The Department currently regulates less than 300 polygraph examiners, and estimates that this legislation could affect about 50 additional regulants. The Department expects to absorb any workload increase associated with this legislation within its current resources and appropriation.

Revenue: In accordance with the provisions of Section 54.1-113 (Callahan Act) of the Code of Virginia, licensing fees are established at rates adequate to cover a program's operating costs and a proportionate share of agency support costs. Based on current fees, the Board would receive revenue of about \$4,750 in FY2011, and \$2,750 in future years.

Cost to Regulators: Polygraph examiners are licensed by examination. The most recent cost of developing a polygraph examiner examination was \$15,000. Assuming a similar cost to develop an exam for operators of equipment defined in this legislation, the cost to take the examination would be about \$300. Licensing fees are expected to be similar to those for polygraph examiners, which are \$95 for application and \$55 for renewal.

9. Specific Agency or Political Subdivisions Affected: Department of Professional and Occupational Regulation.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 3/22/2010 dpbbrb

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