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SENATE BILL NO. 1296

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Joint Conference Committee
on February 22, 2003)

(Patron Prior to Substitute—Senator Blevins)

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

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-1805 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-1805. Instruments to be used; approval of other instruments by Director.

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. *In addition, the Director may approve the use of other instruments that record physiological changes pertinent to the determination of truthfulness or the verification of the truth of statements, including a computer voice stress analyzer, by examiners licensed under this chapter under such conditions as determined by the Director. Such conditions shall include a provision requiring the examiner, prior to the use of such instrument, to (i) complete a Director-approved training course on its operation and (ii) be certified by the manufacturer on the use of such instrument. However, no instrument approved pursuant to this subsection shall be used by a police department in conducting a background investigation of an applicant for employment as a police officer or in administrative investigations involving a police officer.*

2. That the provisions of this act shall expire on July 1, 2005.

SENATE

SUBSTITUTE

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