
HOUSE COMMITTEE AMENDMENTS

2017 Regular Session

Amendments proposed by House Committee on Judiciary to Original House Bill No. 96 by Representative Bacala

1 AMENDMENT NO. 12 On page 1, line 3, after "examinations;" and before "and" insert "to provide relative to
3 statements made during the administration of a polygraph examination;"4 AMENDMENT NO. 2

5 On page 1, delete lines 15 and 16 in their entirety and insert the following:

6 "(6)(a) For the purposes of this Section, when a law enforcement agency
7 compels a police employee or law enforcement officer to submit a polygraph
8 examination under the threat of disciplinary action for refusal to submit to a
9 polygraph examination, the polygraph examination shall not be considered an
10 interrogation if, prior to the administration of the polygraph examination, all of the
11 following conditions apply:12 (i) The police employee or law enforcement officer was afforded the
13 opportunity to retain counsel or other representative, or both, pursuant to the
14 provisions of Paragraph (4) of this Subsection.15 (ii) All polygraph examination questions are made available to the police
16 employee or law enforcement officer or his representative or counsel, if one has been
17 retained.18 (b) Any statement made by a police employee or law enforcement officer
19 during the administration of a polygraph examination shall be used only for
20 administrative purposes.21 (c) The provisions of this Paragraph shall apply only to the pre-polygraph
22 examination interview and the polygraph examination and shall not apply to any
23 post-polygraph examination test that may be conducted by the polygraphist or any
24 other individual."