

House Bill 2521

Sponsored by Representative SCOTT; Representatives BARKER, BOONE, CAMERON, GILMAN, HANNA, KRIEGER, OLSON, RICHARDSON, WHISNANT (at the request of Lonnie Branstetter)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands definition of "polygraph examiner" to include examiners who perform voice stress analysis. Defines "voice stress analysis." Authorizes Department of Public Safety Standards and Training to expand licensing and regulatory requirements for voice stress analysis.

A BILL FOR AN ACT

1
2 Relating to polygraph examinations; amending ORS 703.010 and 703.030.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 703.010 is amended to read:

5 703.010. As used in ORS 703.010 to 703.320, unless the context requires otherwise:

6 (1) "Board" means the Board on Public Safety Standards and Training.

7 (2) "Department" means the Department of Public Safety Standards and Training.

8 (3) "Director" means the director of the department.

9 (4) "Internship" means the study by a trainee of polygraph examinations and of the adminis-
10 tration of polygraph examinations under the personal supervision and control of a polygraph exam-
11 iner in accordance with the course of study prescribed by the board at the commencement of such
12 study.

13 (5) "Person" means any individual, firm, association, partnership or corporation.

14 (6) "Polygraph examiner" means a person who purports to be able to detect deception or verify
15 the truth of statements through the use of instrumentation or of a mechanical device that records
16 visually, permanently and simultaneously:

17 (a) The cardiovascular pattern, the respiratory pattern and the galvanic skin response of the
18 individual being examined[.]; **or**

19 (b) **The patterns of audible muscular tremors in the voice of the individual being exam-**
20 **ined.**

21 (7) "Trainee" means a person licensed under ORS 703.010 to 703.320 to engage in an internship.

22 (8) **"Voice stress analysis" means a technique in which a person purports to detect de-**
23 **ception or verify the truth of statements through the use of instrumentation or of a me-**
24 **chanical device which records visually, permanently and simultaneously audible muscular**
25 **tremor patterns in the voice of the individual being tested.**

26 **SECTION 2.** ORS 703.030 is amended to read:

27 703.030. (1) It is the purpose of ORS 703.010 to 703.320 to regulate all persons who purport to
28 be able to detect deception or to verify the truth of statements through the use of instrumentation
29 or mechanical devices, including but not limited to lie detectors, polygraphs and deceptographs, that
30 record visually, permanently and simultaneously:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(a)** The cardiovascular pattern, the respiratory pattern and the galvanic skin response **of the**
2 **individual being examined; or**

3 **(b) The patterns of audible muscular tremors in the voice** of the individual being examined.

4 (2) ORS 703.010 to 703.320 shall be liberally construed to regulate all persons described in sub-
5 section (1) of this section. A person who purports to be able to detect deception or to verify the
6 truth of statements is not exempt from the provisions of ORS 703.010 to 703.320 because of the ter-
7 minology used to describe the person, the instruments or mechanical devices of the person, or the
8 nature of the services of the person.

9 **(3) The Department of Public Safety Standards and Training shall establish by rule li-**
10 **censing and regulatory requirements governing the use of voice stress analysis.**

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