

Senate Bill 71

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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**.

Makes recipients of General Educational Development (GED) certificates eligible for general polygraph examiner licenses.

A BILL FOR AN ACT

1
2 Relating to general polygraph examiner licensing; amending ORS 703.090.

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

4 **SECTION 1.** ORS 703.090 is amended to read:

5 703.090. (1) [*Any*] **All of the following requirements apply to an** applicant for a license as a
6 general polygraph examiner. **The applicant** must:

7 (a) Be at least 18 years of age[;].

8 (b) Be a citizen of the United States[;].

9 (c) Not have demonstrated, in the preceding 10 years, a course of behavior that indicates a high
10 degree of probability that the applicant will be unlikely to perform the duties of a polygraph exam-
11 iner in a manner that would serve the interests of the public[;].

12 (d) If previously convicted for a criminal offense, provide information, as required by the De-
13 partment of Public Safety Standards and Training, relating to the circumstances of the conviction.
14 ORS 670.280 is applicable when the department considers information provided under this
15 paragraph[;].

16 (e)(A) Have received a baccalaureate degree from a college or university that is accredited by
17 the American Association of Collegiate Registrars and Admissions Officers; or[, *in lieu thereof*,]

18 (B) **Have graduated from** [*be a graduate of an accredited*] high school **or have been awarded**
19 **a General Educational Development (GED) certificate**, and have at least five years of active
20 investigative experience before the date of application[;].

21 (f) Have graduated from a polygraph examiners course approved by the department and con-
22 forming to any minimum training standards approved by the Board on Public Safety Standards and
23 Training and have satisfactorily completed at least 200 examinations, or have worked as a polygraph
24 examiner for a period of **at least** five years for a governmental agency within the State of Oregon
25 and have [*completed*] **satisfactorily completed at least 200 examinations**[; *and*].

26 (g) Have successfully completed an examination conducted by the department to determine,
27 consistent with any standards approved by the board, competency to act as a polygraph examiner.

28 (2) For the purpose of requesting a state or nationwide criminal records check under ORS
29 181.534, the Department of Public Safety Standards and Training shall require each applicant to be
30 fingerprinted as part of the licensing procedure.

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 (3) Notwithstanding ORS 181.534 (5) and (6), the Department of State Police shall maintain in
2 the department's files fingerprint cards submitted to it for purposes of conducting a state or na-
3 tionwide criminal records check under ORS 181.534 on applicants for a license as a general
4 polygraph examiner.

5 (4) When the Department of Public Safety Standards and Training refuses to issue a license
6 based upon an applicant's failure to meet the requirements of subsection (1)(c) of this section, the
7 department shall prepare a concise, specific written statement of the facts supporting the
8 department's conclusion that there is a high degree of probability that the applicant will be unlikely
9 to perform required duties in a manner that would serve the interests of the public. A copy of the
10 statement [*shall*] **must** be given to the applicant.

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