

**PRELIMINARY** STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

**REVENUE:** May have revenue impact, statement not yet issued

**FISCAL:** May have fiscal impact, statement not yet issued

**SUBSEQUENT REFERRAL TO:**

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**Action:**

**Vote:**

**Yeas:**

**Nays:**

**Exc.:**

**Prepared By:** Eric Deitrick, Counsel

**Meeting Dates:** 3/17, 4/17

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**WHAT THE MEASURE DOES:** Prohibits service providers from disclosing communication content or records. Creates exceptions. Establishes procedure for public bodies to obtain search warrant for communication content or records. Limits the judicial admissibility of communication content or records unless procedures followed. Requires public bodies that obtain communication content or records to create annual report. Creates remedies. Defines terms.

**ISSUES DISCUSSED:**

**EFFECT OF COMMITTEE AMENDMENT:** Proposed (-4) amendment replaces measure. It authorizes pre-employment polygraph examinations for applicants to law enforcement positions. It prohibits post-employment polygraph examinations. In addition, it exempts from public records disclosure pre-employment polygraph examinations and the materials associated with those examinations.

**BACKGROUND:** State law prohibits polygraph examinations as a condition of employment. Certain law enforcement agencies would like the option of polygraph examinations as a tool to screen law enforcement candidates.