

HOUSE BILL No. 6204

September 9, 2004, Introduced by Reps. LaSata, Accavitti, Bieda and Lipsey and referred to the Committee on Criminal Justice.

A bill to amend 1972 PA 295, entitled
"Forensic polygraph examiners act,"
by amending section 10 (MCL 338.1710).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. **(1)** Upon application and payment of the required
2 fee, a person is qualified to receive a license as an examiner
3 **upon fulfilling the following:**

4 (a) ~~Who is~~ **Is** at least 18 years of age.

5 (b) ~~Who is~~ **Is** a citizen of the United States.

6 (c) ~~Who has~~ **Has** not been under sentence for the commission
7 of a felony within 5 years prior to his application, including
8 parole, probation, or actual incarceration.

9 (d) ~~Who has~~ **Has** either 1 of the following, **subject to**
10 **subsection (2):**

11 (i) An academic degree, at least at the baccalaureate level,

1 from an accredited college or university, with such academic
2 degree to include specialized study in 1 academic major, or 2
3 academic minor areas which the board determines to be suitable
4 for and related to specialization as an examiner.

5 (ii) A high school diploma or its equivalent from an
6 accredited high school and at least 5 years of continuous
7 investigative experience with a recognized governmental law
8 enforcement or governmental investigative agency.

9 ~~After December 31, 1974, all applicants shall have received~~
10 ~~at least 60 semester hours of academic credit at the college~~
11 ~~level, or its equivalent, from an accredited college or~~
12 ~~university, and after December 31, 1979, all applicants shall~~
13 ~~have received an academic degree, at least at the baccalaureate~~
14 ~~level, from an accredited college or university, with such~~
15 ~~academic degree to include specialized study in 1 academic major,~~
16 ~~or 2 academic minor areas which the board determines to be~~
17 ~~suitable for and related to specialization as an examiner.~~

18 (e) ~~Who has~~ **Has** either 1 of the following:

19 (i) ~~Who has~~ **Has** satisfactorily completed an internship
20 training program approved by the board.

21 (ii) ~~Who satisfies~~ **Satisfies** the board that he **or she** has
22 training or experience equivalent to such an internship training
23 program.

24 (f) ~~Who furnishes~~ **Furnishes** the board with satisfactory
25 proof that he **or she** has suitable experience in the personal
26 administration of polygraph examinations during ~~his~~ **an**
27 internship, or its equivalent.

1 (g) ~~Who furnishes~~ **Furnishes** the board with completed
2 fingerprint cards in duplicate, bearing the applicant's
3 fingerprints and such other identifying information or
4 certification as to ~~the~~ **their** authenticity ~~thereof~~ as the
5 board may reasonably require **and arranges for the conduct of a**
6 **criminal history check that fails to demonstrate ineligibility**
7 **under this section. The board shall submit the applicant's**
8 **fingerprints along with the appropriate state and federal fees to**
9 **the department of state police for a criminal history check. The**
10 **department of state police may then forward the fingerprints to**
11 **the federal bureau of investigation for a criminal history**
12 **check. The information obtained as a result of the criminal**
13 **history check of an applicant shall be limited to officially**
14 **determining the character and fitness of the applicant for**
15 **licensing purposes.**

16 (h) ~~Who has~~ **Has** not previously had an examiner's license,
17 or its equivalent, refused, revoked, suspended or otherwise
18 invalidated for cause duly shown which would also represent
19 lawful grounds for revoking or denying applicant's license under
20 this act.

21 (i) ~~Where~~ **Upon** reasonable investigation, satisfies the
22 board that no substantial derogatory information exists regarding
23 applicant's loyalty, honesty, or integrity as would reasonably
24 and prudently justify denying him **or her** a license.

25 (j) ~~Who has~~ **Has** continuously resided in this state or has
26 been continuously eligible to apply for an absentee voter's
27 ballot for the general elections in this state for at least 6

1 calendar months immediately ~~prior to~~ **before** the date of ~~his~~
2 **the** application; or any combination of these 2 requirements
3 ~~which~~ **that** totals at least 6 calendar months.

4 (k) ~~Who has~~ **Has** satisfactorily passed required qualifying
5 examinations conducted by the board, or under its supervision, to
6 determine his **or her** competency to obtain a license to practice
7 as an examiner; but the applicant first shall have satisfied all
8 the other requirements in this section before taking such a
9 qualifying examination.

10 (2) After December 31, 1974, all applicants shall have
11 received at least 60 semester hours of academic credit at the
12 college level, or its equivalent, from an accredited college or
13 university, and after December 31, 1979, all applicants shall
14 have received an academic degree, at least at the baccalaureate
15 level, from an accredited college or university, with such
16 academic degree to include specialized study in 1 academic major,
17 or 2 academic minor areas which the board determines to be
18 suitable for and related to specialization as an examiner.