

1 HB678
2 169594-1
3 By Representative Rowe
4 RFD: Judiciary
5 First Read: 19-MAY-15

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8 SYNOPSIS: This bill would prohibit a law enforcement
9 officer, prosecuting attorney, or other government
10 official from requiring the victim of a sexual
11 offense to submit to a polygraph examination as a
12 condition to proceeding with the investigation or
13 prosecution of the offense.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

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19 To prohibit a law enforcement officer, prosecuting
20 attorney, or other government official from requiring the
21 victim of a sexual offense to submit to a polygraph
22 examination as a condition to proceeding with the
23 investigation or prosecution of the offense.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. A law enforcement officer, prosecuting
26 attorney, or other government official shall not require an
27 adult, youth, or child victim of an alleged sexual offense

1 defined in Sections 13A-6-61 to 13A-6-69, inclusive, Code of
2 Alabama 1975, to submit to a polygraph examination or other
3 truth-telling device as a condition of proceeding with the
4 investigation of the offense. The refusal of a victim to
5 submit to an examination shall not prevent the investigation,
6 charging, prosecution, trial, or sentencing of an alleged
7 sexual offense.

8 Section 2. This act shall become effective on the
9 first day of the third month following its passage and
10 approval by the Governor, or its otherwise becoming law.