

1 HB244
2 173906-1
3 By Representative Rowe
4 RFD: Judiciary
5 First Read: 16-FEB-16

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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.

14
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) A law enforcement officer,
26 prosecuting attorney, or other government official may not
27 request or require any victim of an alleged sexual offense to

1 submit to a polygraph examination or other truth-telling
2 device as a condition of proceeding with the investigation of
3 the offense.

4 (b) The refusal of a victim to submit to a polygraph
5 examination may not prevent the investigation, charging,
6 prosecution, trial, or sentencing of an alleged sexual
7 offense.

8 (c) For the purposes of this section, "sexual
9 offense" is an offense included in Section 15-20A-5, Code of
10 Alabama 1975.

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