

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 137

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 fee,
2 a person **FULFILLING THE FOLLOWING** is qualified to receive a license
3 as an examiner:

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 **OR HER** application,
8 including parole, probation, or actual incarceration.

9 (d) ~~Who has~~ **HAS** either 1 of the following, **SUBJECT TO**
10 **SUBSECTION (2):**

1 (i) An academic degree, at least at the baccalaureate level,
2 from an accredited college or university, with ~~such~~ **AN** academic
3 degree to include specialized study in 1 academic major, or 2
4 academic minor areas ~~which~~ **THAT** the ~~board~~ **DEPARTMENT** determines
5 to be suitable for and related to specialization as an examiner.

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

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

19 (e) ~~Who has~~ **HAS** either 1 of the following:

20 (i) ~~Who has~~ **HAS** satisfactorily completed an internship
21 training program approved by the ~~board~~ **DEPARTMENT**.

22 (ii) ~~Who satisfies~~ **SATISFIES** the ~~board~~ **DEPARTMENT** that he
23 **OR SHE** has training or experience equivalent to ~~such~~ an internship
24 training program **DESCRIBED IN SUBPARAGRAPH (i)**.

25 (f) ~~Who furnishes~~ **FURNISHES** the ~~board~~ **DEPARTMENT** with
26 satisfactory proof that he **OR SHE** has suitable experience in the
27 personal administration of polygraph examinations during ~~his~~ **AN**

1 internship, or its equivalent.

2 (g) ~~Who furnishes~~ **FURNISHES** the ~~board~~ **DEPARTMENT** with
3 ~~completed fingerprint cards in duplicate~~ **A COMPLETED FINGERPRINT**
4 **CARD**, bearing the applicant's fingerprints and such other
5 identifying information or certification as to ~~the~~ **THEIR**
6 authenticity ~~thereof~~ as the ~~board~~ **DEPARTMENT** may reasonably
7 require **AND ARRANGES FOR THE CONDUCT OF A CRIMINAL HISTORY CHECK**
8 **THAT FAILS TO DEMONSTRATE INELIGIBILITY UNDER THIS SECTION. THE**
9 **DEPARTMENT SHALL SUBMIT THE APPLICANT'S FINGERPRINTS ALONG WITH THE**
10 **APPROPRIATE STATE AND FEDERAL FEES TO THE DEPARTMENT OF STATE**
11 **POLICE FOR A CRIMINAL HISTORY CHECK. THE DEPARTMENT OF STATE POLICE**
12 **MAY THEN FORWARD THE FINGERPRINTS TO THE FEDERAL BUREAU OF**
13 **INVESTIGATION FOR A CRIMINAL HISTORY CHECK. THE FEE SHALL BE PAID**
14 **BY THE APPLICANT AND SHALL ACCOMPANY THE SUBMISSION OF THE**
15 **FINGERPRINTS TO THE DEPARTMENT. THE INFORMATION OBTAINED AS A**
16 **RESULT OF THE CRIMINAL HISTORY CHECK OF AN APPLICANT SHALL BE**
17 **LIMITED TO OFFICIALLY DETERMINING THE CHARACTER AND FITNESS OF THE**
18 **APPLICANT FOR LICENSING PURPOSES.**

19 (h) ~~Who has~~ **HAS** not previously had an examiner's license, or
20 its equivalent, refused, revoked, suspended or otherwise
21 invalidated for ~~cause duly shown which~~ **A REASON THAT** would also
22 represent lawful grounds for revoking or denying applicant's
23 license under this act.

24 (i) ~~Where~~ **UPON** reasonable investigation, satisfies the ~~board~~
25 **DEPARTMENT** that no substantial derogatory information exists
26 regarding applicant's loyalty, honesty, or integrity as would
27 reasonably and prudently justify denying him **OR HER** a license.

1 (j) ~~Who has~~ **HAS** continuously resided in this state or has
2 been continuously eligible to apply for an absentee voter's ballot
3 for the general elections in this state for at least 6 calendar
4 months immediately ~~prior to~~ **BEFORE** the date of ~~his~~ **THE**
5 application; or any combination of these 2 requirements ~~which~~
6 **THAT** totals at least 6 calendar months.

7 (k) ~~Who has~~ **HAS** satisfactorily passed required qualifying
8 examinations conducted by the ~~board~~ **DEPARTMENT**, or under its
9 supervision, to determine his **OR HER** competency to obtain a license
10 to practice as an examiner, ~~+~~ **EXCEPT THAT** the applicant first
11 shall have satisfied all the other requirements in this section
12 before taking such **A** qualifying examination.

13 (2) **ALL APPLICANTS SHALL HAVE RECEIVED AN ACADEMIC DEGREE, AT**
14 **LEAST AT THE BACCALAUREATE LEVEL, FROM AN ACCREDITED COLLEGE OR**
15 **UNIVERSITY, WITH SUCH ACADEMIC DEGREE TO INCLUDE SPECIALIZED STUDY**
16 **IN 1 ACADEMIC MAJOR, OR 2 ACADEMIC MINOR AREAS THAT THE DEPARTMENT**
17 **DETERMINES TO BE SUITABLE FOR AND RELATED TO SPECIALIZATION AS AN**
18 **EXAMINER.**