

LEGISLATIVE BILL 860

Approved by the Governor March 14, 2012

Introduced by Hansen, 42.

FOR AN ACT relating to truth and deception examiners; to amend sections 81-1917 and 81-1918, Reissue Revised Statutes of Nebraska; to change qualification and training requirements regarding voice stress analysis; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 81-1917, Reissue Revised Statutes of Nebraska, is amended to read:

81-1917 (1) Each applicant for a truth and deception examiner's license to operate a voice stress analysis instrument shall submit to the Secretary of State a sworn affidavit that the applicant:

- (a) Is at least nineteen years of age;
- (b) Is a citizen of the United States and a resident of the State of Nebraska;
- (c) Has not been under sentence for the commission of a felony within five years prior to application, including parole, probation, or actual incarceration, and has never been convicted of a felony or a misdemeanor involving moral turpitude;
- (d) Has an academic degree at the baccalaureate level from an accredited college or university, has at least four years of investigative experience at the federal, state, political subdivision, or private licensed investigator level immediately prior to application, or has had at least four years experience administering voice stress examinations;
- (e) Has satisfactorily completed a minimum of ~~one hundred fifty~~ sixty classroom hours of formal voice stress analysis instruction recognized and approved by the secretary and has satisfactorily completed at least one year of internship training or its equivalent as approved by the secretary; and

(f) Has not previously had an examiner's license or its equivalent refused or revoked, or otherwise invalidated for cause duly shown which would also represent lawful grounds for revoking or denying the applicant's license under ~~sections 81-1901 to 81-1936.~~ the Licensing of Truth and Deception Examiners Act.

(2) Each applicant shall also:

- (a) Provide the secretary with proof that the applicant has completed a course of study at a training facility approved pursuant to subdivision (e) of subsection (1) of this section;
- (b) Furnish the secretary with satisfactory proof that he or she has had suitable experience in the personal administration of voice stress analysis examinations during his or her training course;
- (c) Furnish the secretary with completed fingerprint cards, in duplicate, bearing the applicant's fingerprints and such other identifying information or certification as to the authenticity thereof as the secretary may reasonably require; and
- (d) After satisfying all of the other requirements of this section, be required to satisfactorily pass a written examination regarding the voice stress analysis instruments, conducted by the secretary or under his or her supervision, given to determine competency to practice as an examiner.

Sec. 2. Section 81-1918, Reissue Revised Statutes of Nebraska, is amended to read:

81-1918 For purposes of sections 81-1916 and 81-1917, the secretary shall accept as proof of completion of a course of study or training a copy of a diploma or certificate attesting to the applicant's completion of a training course at an approved or certified training facility or institution, including, but not limited to, those training facilities or institutions which have been certified by (1) the American Polygraph Association as a course of study and training in the use of the polygraph instrument, ~~and or~~ (2) the International Society of Stress Analysts National Institute for Truth Verification and the National Association of Computer Voice Stress Analysts as a course of study and training in the use of voice stress instruments.

Sec. 3. Original sections 81-1917 and 81-1918, Reissue Revised Statutes of Nebraska, are repealed.