

1 SB413  
2 200732-1  
3 By Senator Albritton  
4 RFD: Judiciary  
5 First Read: 16-MAY-19

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8 SYNOPSIS: Existing law provides a grand jury can only  
9 receive evidence given by witnesses before them or  
10 furnished by legal documentary evidence and any  
11 witness may be examined and compelled to testify as  
12 to any offense within his or her knowledge.

13 This bill would prohibit any evidence  
14 derived from a polygraph examination or the fact a  
15 person did or did not take a polygraph examination  
16 from being admissible in grand jury proceedings.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
21

22 To amend Section 12-16-200, Code of Alabama 1975, to  
23 make any evidence derived from a polygraph examination or the  
24 fact an examination was or was not administered inadmissible  
25 in grand jury proceedings.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. Section 12-16-200, Code of Alabama 1975,  
2 is amended to read as follows:

3                   "§12-16-200.

4                   "(a) Subject to subsection (b), in ~~in~~ the  
5 investigation of a charge for any indictable offense, the  
6 grand jury can receive no other evidence than is given by  
7 witnesses before them or furnished by legal documentary  
8 evidence, and any witness may be examined and compelled to  
9 testify as to any offense within his or her knowledge without  
10 being specially interrogated as to any particular person,  
11 time, or place.

12                   "(b) Any evidence derived from a polygraph  
13 examination, including, but not limited to, the results of the  
14 examination, or the fact that a person did or did not take a  
15 polygraph examination, is inadmissible in grand jury  
16 proceedings."

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