

1 HB30  
2 135749-1  
3 By Representative McCutcheon  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 05-FEB-13  
6 PFD: 01/24/2013

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8 SYNOPSIS: Currently, applicants for licensure as a  
9 polygraph examiner must apply in writing to the  
10 Board of Polygraph Examiners and the application  
11 contains requests for certain information as  
12 determined by the board.

13 This bill would require applicants to submit  
14 to two complete sets of fingerprints to the board;  
15 would require the board to submit the fingerprints  
16 to the Alabama Bureau of Investigation (ABI); would  
17 require the ABI to forward a set of the prints to  
18 the FBI for a national criminal history background  
19 check; would require written consent by the  
20 applicant for the release of the criminal history  
21 background information to the board; and would  
22 require the applicant to bear the costs of the  
23 background checks.

24  
25 A BILL  
26 TO BE ENTITLED  
27 AN ACT

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2 To amend Section 34-25-22, Code of Alabama 1975,  
3 relating to applications for licensure as a polygraph  
4 examiner; to additionally require an applicant to provide two  
5 sets of fingerprints to the Board of Polygraph Examiners to  
6 forward to the Alabama Bureau of Investigation for a state and  
7 national background check of the applicant; to require an  
8 applicant to give written consent to release the results of  
9 the background checks to the Board of Polygraph Examiners; and  
10 to require the applicant to bear the costs of the background  
11 checks.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Section 34-25-22, Code of Alabama 1975,  
14 is amended to read as follows:

15 "§34-25-22.

16 "(a) Applications for original license shall be made  
17 to the board in writing under oath on forms prescribed by the  
18 board and shall be accompanied by the required fee, which is  
19 not refundable. Any such application shall require such  
20 information as in the judgment of the board will enable it to  
21 pass on the qualifications of the applicant for a license.

22 "(b) An applicant shall provide the board with two  
23 complete sets of fingerprints to be sent to the Alabama Bureau  
24 of Investigation to conduct a criminal history background  
25 check. The ABI shall forward a copy of the applicant's prints  
26 to the Federal Bureau of Investigation for a national criminal  
27 background check.

1           "(c) The request to the board shall contain the  
2 following information:

3           "(1) Two complete functional sets of fingerprints,  
4 either cards or electronic, properly executed by a criminal  
5 justice agency or an individual properly trained in  
6 fingerprinting techniques.

7           "(2) Written consent from the applicant for the  
8 release of criminal history background information to the  
9 board.

10           "(d) The applicant shall pay all costs associated  
11 with the background checks required by this section.

12           "(e) The board shall keep information received  
13 pursuant to this section confidential, except that such  
14 information received and relied upon in denying the issuance  
15 of a license in this state may be disclosed as may be  
16 necessary to support the denial."

17           Section 2. This act shall become effective  
18 immediately following its passage and approval by the  
19 Governor, or its otherwise becoming law.