

Fiscal Estimate Narratives

DHFS 3/1/2004

LRB Number	03-4253/1	Introduction Number	SB-479	Estimate Type	Original
Subject					
Prohibit law enforcement officers and prosecutors from requiring a sexual assault victim to submit to a polygraph test					

Assumptions Used in Arriving at Fiscal Estimate

Current law imposes limitations on the use of lie detector tests, including polygraph tests and other types of honesty tests. A person cannot be required to submit to a lie detector test without containing the person's prior written or informed consent to the test. An exception to this law is made for the Department and the Department of Corrections, which may require sex offenders to submit to lie detector tests without their consent.

Under this bill, law enforcement officers and district attorneys are prohibited from ordering, requesting, or suggesting that a person who alleges that he or she is the victim of a sexual assault submit to a lie detector test, regardless of whether the victim gives prior written or informed consent to the test. This bill also prohibits district attorneys from suggesting or requesting that the victim submit to a lie detector tests without first providing the person with notice and an explanation of his or her right not to submit to one.

This bill would have no fiscal effect on the Department.

Long-Range Fiscal Implications