

HOUSE BILL NO. 1379

Introduced by

Representatives Grande, Tieman

Senators Grindberg, Lyson

1 A BILL for an Act to amend and reenact sections 43-31-02 and 43-31-03 of the North Dakota
2 Century Code, relating to detection of deception examiners.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 43-31-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **43-31-02. Device or instrument to be used.** ~~Every~~

7 1. ~~An examiner shall~~ may use ~~an~~:

8 a. ~~An instrument which that~~ records permanently and simultaneously the
9 subject's cardiovascular and respiratory patterns as minimum standards, but
10 such an instrument may record additional physiological changes pertinent to
11 the detection of deception; or

12 b. Any other instrument or device to detect deception or to verify truth of
13 statements which meets minimum instrumentation standards and which the
14 examiner has been certified to operate.

15 2. ~~An examiner shall, upon~~ Upon written request of a person examined, an examiner
16 shall make known the results of such test to the person examined within five days
17 of receipt of the written request.

18 **SECTION 2. AMENDMENT.** Section 43-31-03 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **43-31-03. Unlawful acts.** ~~It~~ Except for a law enforcement officer in the course of the
21 officer's full-time employment with a federal, state, or local law enforcement agency who is

22 certified to operate a device or instrument described in section 43-31-02, it is unlawful for any

23 person to administer detection of deception examinations, or attempt to hold ~~himself~~ oneself out
24 as an examiner, without a license issued by the attorney general of the state.