

1 AMENDMENT TO HOUSE BILL 1373

2 AMENDMENT NO. _____. Amend House Bill 1373 by replacing
3 the title with the following:

4 "AN ACT concerning detection of deception."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Detection of Deception Examiners Act is
8 amended by changing Sections 1 and 4 as follows:

9 (225 ILCS 430/1) (from Ch. 111, par. 2401)

10 (Section scheduled to be repealed on January 1, 2012)

11 Sec. 1. Definitions. As used in this Act, unless the
12 context otherwise requires:

13 "Detection of Deception Examination", hereinafter
14 referred to as "Examination" means any examination in which a
15 device or instrument is used to test or question individuals
16 for the purpose of evaluating truthfulness or untruthfulness.

17 "Examiner" means any person licensed under this Act.

18 "Person" includes any natural person, partnership,
19 association, corporation or trust.

20 "Department" means the Department of Professional
21 Regulation of the State of Illinois.

1 "Director" means the Director of Professional Regulation
2 of the State of Illinois.

3 "Him" means both the male and female gender.

4 "Law enforcement agency" means an agency of the State or
5 a unit of local government that is vested by law or ordinance
6 with the power to maintain public order and to enforce
7 criminal laws and ordinances.

8 (Source: P.A. 92-453, eff. 8-21-01.)

9 (225 ILCS 430/4) (from Ch. 111, par. 2404)

10 (Section scheduled to be repealed on January 1, 2012)

11 Sec. 4. Registration or license required; exceptions.

12 (a) It is unlawful for any person to administer
13 detection of deception examinations, or attempt to hold
14 himself out as an Examiner, unless registered or licensed by
15 the Department. However, this shall not prohibit the use of
16 detection of deception equipment by a person licensed to
17 practice medicine in all its branches under the Medical
18 Practice Act of 1987 when the results are to be used in
19 research.

20 (b) Nothing in this Act prohibits the use of a voice
21 stress analyzer by any fully trained personnel of a law
22 enforcement agency in the course of its duties. Law
23 enforcement users of a voice stress analyzer shall be trained
24 in a manner approved by the Illinois Law Enforcement Training
25 Standards Board. Use of a voice stress analyzer is
26 prohibited when a State or local law enforcement officer
27 stops a motorist for an alleged violation of the Illinois
28 Vehicle Code. For the purposes of this subsection (b),
29 "voice stress analyzer" means an investigative tool that
30 records voice stress factors pertinent to the detection of
31 deception.

32 (Source: P.A. 85-1209.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".