**South Carolina General Assembly**

119th Session, 2011-2012

**H. 5082**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. White

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Introduced in the House on March 27, 2012

Currently residing in the House Committee on **Judiciary**

Summary: Polygraph machines

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/27/2012 House Introduced and read first time ([House Journal‑page 12](file:///h:\hj%20archive\2012\03-27-12.docx))

3/27/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 12](file:///h:\hj%20archive\2012\03-27-12.docx))

4/17/2012 Scrivener's error corrected

**VERSIONS OF THIS BILL**

[3/27/2012](file:///p:\pprever\2011-12\5082_20120327.docx)

[4/17/2012](file:///p:\pprever\2011-12\5082_20120417.docx)

**A** **BILL**

TO AMEND SECTION 40‑53‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MINIMUM REQUIREMENTS FOR POLYGRAPH MACHINES, SO AS TO PROVIDE A POLYGRAPH MACHINE MUST RECORD THE VOICE OF THE SUBJECT BEING TESTED IN A FORM SUITABLE FOR VOICE STRESS ANALYSIS AS AN ALTERNATIVE TO THE EXISTING REQUIREMENTS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑53‑40 of the 1976 Code is amended to read:

“Section 40‑53‑40. ~~Any~~ (A) An instrument used to test or question individuals for the purpose of detecting deception or verifying truth of statements ~~shall~~ must record visually, permanently and simultaneously:

(1) the ~~subject’s~~ cardiovascular pattern and ~~(2)~~ respiratory pattern; or

(2) the voice of the subject in a form suitable for stress analysis.

(B) Patterns of other physiological changes in addition to (1) and (2) may also be recorded.

(C) The use of any instrument or device to detect deception or to verify truth of statements ~~which~~ that does not meet these minimum instrumentation requirements is ~~hereby~~ prohibited ~~and the~~. The operation or use of ~~such~~ this equipment ~~shall be~~ is subject to penalties and may be enjoined ~~in the manner hereinafter provided~~ as provided in this chapter.”

SECTION 2. This act takes effect upon approval by the Governor.

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