

1 AN ACT relating to licensing.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 329.030 is amended to read as follows:

4 (1) No person shall administer a detection of deception examination, as set forth in  
5 KRS 329.010, or any imitation thereof, without first securing a trainee's license or  
6 an examiner's license. Each application for a trainee's license shall be made to the  
7 cabinet within ten (10) days of the commencement of the trainee's internship, and  
8 said application shall contain such information as may be reasonably required by the  
9 cabinet. Each application for a trainee license or a renewal or extension shall be  
10 accompanied by a fee of twenty-five dollars (\$25), which is nonrefundable. Each  
11 application for an examiner's license shall be made to the cabinet in writing on  
12 forms provided by the cabinet and shall contain such information as may be  
13 required by the cabinet to determine the eligibility of the applicant. Each application  
14 for an examiner's license shall be accompanied by a fee of fifty dollars (\$50), which  
15 is nonrefundable.

16 (2) Each applicant for an examiner's license shall submit the applicant's~~[his or her]~~  
17 fingerprints to the cabinet. The cabinet is authorized to exchange fingerprint data  
18 with the Department of Kentucky State Police and the Federal Bureau of  
19 Investigation in order to conduct a criminal history background check of the  
20 applicant. Each applicant shall also submit a sworn affidavit that said applicant:

- 21 (a) Is a citizen of the United States;
- 22 (b) Is at least eighteen (18) years of age;
- 23 (c) Has administered detection of deception examinations for a period of at least  
24 one (1) year using the instrumentation prescribed in KRS 329.020;
- 25 (d) Has completed a course of formal training in detection of deception in an  
26 institution accepted by the cabinet;
- 27 (e) Has not been convicted of a misdemeanor involving moral turpitude or a

- 1           felony, or who has not been released or discharged under other than honorable  
2           conditions from any of the Armed Services of the United States, or any branch  
3           of the state, city or federal government; and
- 4       (f) Any other information required by the cabinet to determine the examiner's  
5           competency to obtain a license to practice in this state.
- 6       (3) Upon receipt of an application for a trainee's license or for an examiner's license,  
7           the secretary shall investigate each application, and no license will be issued until  
8           said investigation is complete.
- 9       (4) The cabinet shall establish such reasonable rules and regulations for the  
10       trainee's~~[trainee during his]~~ internship as may be reasonably necessary for the  
11       purpose of insuring that the trainee meets adequate professional standards  
12       established by the cabinet.
- 13       (5) The cabinet may require applicants for an examiner's license to pass an examination  
14       which shall be confined to such knowledge, practical ability, and skill as is essential  
15       for performing the duties of a detection of deception examiner. The cabinet shall  
16       promulgate administrative regulations for conducting examinations and shall define  
17       the standards to be acquired to constitute passing the examination.
- 18       (6) The cabinet shall promulgate administrative regulations for the purpose of insuring  
19       that the examiner maintain adequate professional standards established by the  
20       cabinet.