

SB0272/233420/1

BY: Senator Carozza

AMENDMENTS TO SENATE BILL 272
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 3 down through “facility” in line 7 and substitute “requiring the Department of Public Safety and Correctional Services to conduct a certain extensive review and background check within a certain time period for certain purposes under certain circumstances; providing that a certain individual may be deemed to have passed a certain polygraph examination under certain circumstances; providing for the construction of this Act”.

AMENDMENT NO. 2

On page 1, in line 17, after “(1)” insert “**(I)**”; and in line 18, strike “**OR EXTENSIVE BACKGROUND CHECK, OR BOTH,**”.

On page 2, in line 1, strike “(2)” and substitute “**(II)**”; in line 2, strike “**AND BACKGROUND CHECK**”; strike beginning with “paragraph” in line 2 down through “subsection” in line 3 and substitute “**SUBPARAGRAPH (I) OF THIS PARAGRAPH**”; and after line 3, insert:

“(2) IF AN INDIVIDUAL’S POLYGRAPH TEST REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS INCONCLUSIVE:

(I) THE DEPARTMENT SHALL, WITHIN 30 DAYS AFTER RECEIVING THE RESULTS, CONDUCT AN EXTENSIVE REVIEW AND BACKGROUND CHECK TO DETERMINE WHETHER THE INDIVIDUAL MAY BE QUALIFIED TO SERVE AS A CORRECTIONAL OFFICER IN A CORRECTIONAL FACILITY; AND

(Over)

(II) IF THE EXTENSIVE REVIEW AND BACKGROUND CHECK CONDUCTED BY THE DEPARTMENT RESOLVES THE INCONCLUSIVE RESULT OF THE POLYGRAPH TEST, THE INDIVIDUAL MAY BE DEEMED TO HAVE PASSED THE POLYGRAPH TEST.

(3) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT THE DEPARTMENT FROM ADMINISTERING A SUBSEQUENT POLYGRAPH EXAMINATION TO RESOLVE THE ITEM THAT LED TO THE INCONCLUSIVE RESULT, IF FOLLOWING THE EXTENSIVE REVIEW AND BACKGROUND CHECK, THE DEPARTMENT DETERMINES THAT A REASONABLE QUESTION REMAINS REGARDING THE QUALIFICATIONS OF THE INDIVIDUAL TO SERVE AS A CORRECTIONAL OFFICER IN A CORRECTIONAL FACILITY.”.