



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5931

Introduced 2/10/2010, by Rep. Emily McAsey

#### SYNOPSIS AS INTRODUCED:

725 ILCS 200/1

from Ch. 38, par. 1551

Amends the Sex Offense Victim Polygraph Act. Provides that a law enforcement officer, State's Attorney or other official shall not ask or require an alleged victim of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse to submit to a polygraph examination or any form of a mechanical or electrical lie detector test (rather than as a condition for proceeding with the investigation, charging or prosecution of such offense when the test is administered to the victim solely at the victim's request).

LRB096 18497 RLC 36259 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Sex Offense Victim Polygraph Act is amended  
5 by changing Section 1 as follows:

6 (725 ILCS 200/1) (from Ch. 38, par. 1551)

7 Sec. 1. Lie Detector Tests. (a) No law enforcement officer,  
8 State's Attorney or other official shall ask or require an  
9 alleged victim of an offense described in Sections 12-13  
10 through 12-16 of the Criminal Code of 1961, as amended, to  
11 submit to a polygraph examination or any form of a mechanical  
12 or electrical lie detector test ~~as a condition for proceeding~~  
13 ~~with the investigation, charging or prosecution of such~~  
14 ~~offense, and such test shall be administered to such victim~~  
15 ~~solely at the victim's request.~~

16 (b) A victim's refusal to submit to a polygraph or any form  
17 of a mechanical or electrical lie detector test shall not  
18 mitigate against the investigation, charging or prosecution of  
19 the pending case as originally charged.

20 (Source: P.A. 85-664.)