

FORENSIC POLYGRAPH EXAMINERS ACT (EXCERPT)
Act 295 of 1972

338.1703 Definitions.

Sec. 3. As used in this act:

- (a) "Person" means any natural person, firm, association, partnership, or corporation.
- (b) "Examiner" means any person, other than an intern, who does any of the following:
 - (i) Purports to detect deception, verify truthfulness, or provide a diagnostic opinion of these matters through instrumentation or the use of a mechanical device.
 - (ii) Represents that he or she can or does offer the service of detecting deception, verifying truthfulness, or providing a diagnostic opinion of these matters through instrumentation or the use of a mechanical device.
 - (iii) Uses instrumentation or a mechanical device to measure or record an individual's bodily responses or psychophysiological activities to enable or assist the detection of deception, the verification of truthfulness, or the reporting of a diagnostic opinion regarding these matters.
- (c) "Intern" means a person who is actively engaged in an approved training program pursuant to becoming an examiner.
- (d) "Examinee" means an individual who is being examined, tested, or questioned by an examiner or intern for the purpose of detecting deception or verifying truthfulness.
- (e) "Board" means the state board of forensic polygraph examiners.
- (f) "Public examiner" means an examiner who performs or purports to perform the service of detecting deception or verifying truthfulness exclusively in his or her official capacity as a salaried employee of some agency, county, city, or township of this state.
- (g) "Private examiner" means an examiner who performs or purports to perform the service of detecting deception or verifying truthfulness in any instance or under any circumstance other than as a public examiner.
- (h) "Employer" means a person who employs 1 or more persons or who accepts applications for employment of persons; or an agent of an employer.

History: 1972, Act 295, Eff. Mar. 30, 1973;—Am. 1982, Act 46, Eff. Mar. 30, 1983.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

For abolishment of the state board of forensic polygraph examiners and transfer of its powers and duties to the department of labor and economic growth, see E.R.O. No. 2007-18, compiled at MCL 445.2024.