

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5635**

Chapter 14, Laws of 2007

60th Legislature  
2007 Regular Session

POLYGRAPH TESTS

EFFECTIVE DATE: 07/22/07

Passed by the Senate March 7, 2007  
YEAS 47 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House March 30, 2007  
YEAS 94 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved April 9, 2007, 1:17 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5635** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

FILED

April 9, 2007

**Secretary of State  
State of Washington**

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**SENATE BILL 5635**

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Passed Legislature - 2007 Regular Session

**State of Washington                      60th Legislature                      2007 Regular Session**

**By** Senators Brandland, Kline and Delvin; by request of Criminal Justice Training Commission

Read first time 01/26/2007. Referred to Committee on Judiciary.

1            AN ACT Relating to requiring polygraph tests; and amending RCW  
2 49.44.120.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 49.44.120 and 2005 c 265 s 1 are each amended to read  
5 as follows:

6            (1) It shall be unlawful for any person, firm, corporation or the  
7 state of Washington, its political subdivisions or municipal  
8 corporations to require, directly or indirectly, that any employee or  
9 prospective employee take or be subjected to any lie detector or  
10 similar tests as a condition of employment or continued employment:  
11 PROVIDED, That this section shall not apply to persons making  
12 ~~((initial))~~ application for employment with any law enforcement agency  
13 or with the juvenile court services agency of any county, or to persons  
14 returning after a break of more than twenty-four consecutive months in  
15 service as a fully commissioned law enforcement officer: PROVIDED  
16 FURTHER, That this section shall not apply to either the initial  
17 application for employment or continued employment of persons who  
18 manufacture, distribute, or dispense controlled substances as defined

1 in chapter 69.50 RCW, or to persons in sensitive positions directly  
2 involving national security.

3 (2) Nothing in this section shall be construed to prohibit the use  
4 of psychological tests as defined in RCW 18.83.010.

5 (3) Any person violating this section is guilty of a misdemeanor.

6 (4) As used in this section, "person" includes any individual,  
7 firm, corporation, or agency or political subdivision of the state.

8 (5) Nothing in this section may be construed as limiting any  
9 statutory or common law rights of any person illegally denied  
10 employment or continued employment under this section for purposes of  
11 any civil action or injunctive relief.

Passed by the Senate March 7, 2007.

Passed by the House March 30, 2007.

Approved by the Governor April 9, 2007.

Filed in Office of Secretary of State April 9, 2007.