

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2118 Session of  
2003

INTRODUCED BY VEON, DeWEESE, BELFANTI, MANN, PISTELLA, BELARDI,  
FABRIZIO, SHANER, KELLER, LEVDANSKY, BEBKO-JONES, LEACH,  
DONATUCCI, KIRKLAND, SURRA, JAMES, WALKO, DeLUCA, DALEY,  
YOUNGBLOOD, FREEMAN, HORSEY, GOODMAN AND SCRIMENTI,  
OCTOBER 21, 2003

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 21, 2003

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for lie detector  
3 tests.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 7321 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 7321. Lie detector tests.

9 (a) Offense defined.--A person is guilty of a misdemeanor of  
10 the second degree if he requires as a condition for employment  
11 or continuation of employment that an employee or other  
12 individual shall take a polygraph test or any form of a  
13 mechanical or electrical lie detector test.

14 (b) Exception.--The provisions of subsection (a) of this  
15 section shall not apply to employees or other individuals in the  
16 field of public law enforcement or who dispense or have access  
17 to narcotics or dangerous drugs.

1     (c) Employer notification requirements.--

2             (1) An employee or other individual who is given both  
3     verbal and written notification of his right to refuse to  
4     take a polygraph test or any form of lie detector test may  
5     voluntarily waive the prohibition in subsection (a).

6             (2) An employee or other individual who takes a  
7     polygraph test or any form of lie detector test shall be  
8     provided a written report explaining the results of the test.

9     (d) Employer retribution prohibited.--An employer may not  
10    dismiss, reduce the salary or reduce the employee benefits of an  
11    employee who exercises his right to refuse to take a lie  
12    detector test.

13    Section 2. This act shall take effect in 60 days.