

AN ACT

RELATING TO LAW ENFORCEMENT; PROVIDING THAT CERTAIN VICTIMS OF SEXUAL OFFENSES ARE NOT REQUIRED TO SUBMIT TO A POLYGRAPH EXAMINATION OR OTHER TRUTH-TELLING DEVICE AS A CONDITION FOR INVESTIGATION, CHARGING OR PROSECUTION OF THE OFFENSE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 30, Article 9 NMSA 1978 is enacted to read:

"VICTIMS--POLYGRAPH EXAMINATIONS--PROHIBITED ACTIONS.--A law enforcement officer, prosecuting attorney or other government official shall not ask or require an adult, youth or child victim of a sexual offense provided in Sections 30-9-11 through 30-9-13 NMSA 1978 to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation, charging or prosecution of the offense. The victim's refusal to submit to a polygraph examination or other truth-telling device shall not prevent the investigation, charging or prosecution of the offense."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008. _____