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STATE OF KANSAS

Office of the Attorney General

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER
Attorney General

January 14, 1974

Opinion No. 74- 6

Mr. Virgil Hollis
Suite 251, Executive Building
4121 W. 83rd
Prairie Village, Kansas 66208

Dear Virgil:

We have your letter of January 2, 1974, regarding the li-
censure of polygraph examiners under the provisions of K.S.A.
Supp. 75-7b01 et seq. While this office is authorized under
the Act to promulgate rules and regulations, none have been
issued to date.

In the absence of a rule specifically dealing with polygraph
examiners, the determination of whether such individuals must
be licensed must be derived from the language of the Act itself.
Your attention is directed to the definition of "detective
business" found at K.S.A. Supp. 75-7b01 (a) which provides:

"'Detective business' means the furnishing
of, making of or agreeing to make any investiga-
tion for the purpose of obtaining information with
reference to: Crime or wrongs done or threatened
against the United States of America or any state
or territory of the United States of America; the
identity, habits, conduct, business, occupation,
honesty, integrity, credibility, knowledge, trust-
worthiness, efficiency, loyalty, activity, move-
ment, whereabouts, affiliations, associations,
transactions, acts, reputation or character of any
person; the location, disposition or recovery of
lost or stolen property; the cause or responsibility
for fires, libels, losses, accidents or damage or in-
jury to persons or to property; or securing evidence
to be used before any court, board, officer or investi-
gating committee."

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It is rather clear from this language that an individual holding himself out to perform polygraph examinations for more than one client for any of the purposes enumerated above, and for "any consideration whatsoever" is required to be licensed.

We are hopeful that the foregoing will be of assistance.

Yours very truly,



VERN MILLER
Attorney General

VM:DRH:jsm

cc: Lance Burr
Assistant Attorney General