

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2813

By: Kendrix

4  
5  
6 AS INTRODUCED

7 An Act relating to sunset; amending 59 O.S. 2021,  
8 Section 1455, which relates to the Polygraph  
9 Examiners Board; re-creating the Board; and modifying  
10 termination date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1455, is  
13 amended to read as follows:

14 Section 1455 A. There is hereby re-created, to continue until  
15 July 1, ~~2023~~ 2026, in accordance with the provisions of the Oklahoma  
16 Sunset Law, the Polygraph Examiners Board.

17 B. 1. The persons serving on the Board on June 30, 1988, shall  
18 continue to serve the full terms for which they were originally  
19 appointed until their successors have been duly appointed and  
20 approved with the advice and consent of the Senate. All future  
21 Boards shall continue the staggered terms of office established for  
22 the Polygraph Examiners Board prior to July 1, 1988.

23 2. Any actions taken by any state agency on behalf of the  
24 Polygraph Examiners Board or in an attempt to enforce the provisions

1 of the Polygraph Examiners Act shall be subject to review by the  
2 Board. Any such acts may be rescinded or modified as deemed  
3 appropriate by the Board, provided that such action shall not affect  
4 any accrued right, or penalty incurred, or proceeding begun between  
5 July 1, 1988, and October 12, 1988.

6 3. All funds collected after June 30, 1988, equipment, files,  
7 fixtures, furniture, and supplies of the Board which were  
8 transferred to the Office of Management and Enterprise Services or  
9 State Treasury pursuant to Section 3909 of Title 74 of the Oklahoma  
10 Statutes shall be returned to the care and custody of the Board.

11 4. All orders, determinations, rules, regulations, permits,  
12 certificates, licenses, contracts, rates, and privileges which have  
13 been issued, made, granted, or allowed by the Board and are in  
14 effect on June 30, 1988, shall continue in effect according to their  
15 terms until further action is taken by the Board or as modified by  
16 law.

17 C. The Board shall consist of five (5) members who shall be  
18 citizens of the United States and residents of the state for at  
19 least two (2) years prior to appointment, all of whom shall have  
20 been engaged for a period of two (2) consecutive years as polygraph  
21 examiners prior to appointment to the Board, and at the time of  
22 appointment active polygraph examiners. No two Board members may be  
23 employed by the same person or agency. No more than two members may  
24 be appointed from one congressional district. However, when

1 congressional districts are redrawn, each member appointed prior to  
2 July 1 of the year in which such modification becomes effective  
3 shall complete the current term of office and appointments made  
4 after July 1 of the year in which such modification becomes  
5 effective shall be based on the redrawn districts. No appointments  
6 may be made after July 1 of the year in which such modification  
7 becomes effective if such appointment would result in more than two  
8 members serving from the same modified district. At least two  
9 members must be qualified examiners of a governmental law  
10 enforcement agency and at least two members must be qualified  
11 polygraph examiners in the commercial field. The members shall be  
12 appointed by the Governor of the State of Oklahoma, with the advice  
13 and consent of the Senate, for terms of six (6) years. Any vacancy  
14 in an unexpired term shall be filled by appointment of the Governor,  
15 with the advice and consent of the Senate, for the unexpired term.  
16 Except as authorized by the Polygraph Examiners Act, members of the  
17 Board shall be paid no fee, expense reimbursement, wage or other  
18 compensation for their services.

19 D. The vote of a majority of the Board members is sufficient  
20 for passage of any business or proposal which comes before the  
21 Board. The Board shall elect a chair, vice-chair, and secretary  
22 from among its members.  
23

24 59-1-5996 LRB 01/07/23