

1 ENGROSSED HOUSE
2 BILL NO. 2826

By: Gann of the House

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4 Dahm of the Senate

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7 An Act relating to sunset; amending 59 O.S. 2011,
8 Section 1455, as last amended by Section 1, Chapter
9 192, O.S.L. 2019 (59 O.S. Supp. 2019, Section 1455),
10 which relates to the Polygraph Examiners Board; re-
11 creating the Board; and modifying termination date.

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

13 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1455, as
14 last amended by Section 1, Chapter 192, O.S.L. 2019 (59 O.S. Supp.
15 2019, Section 1455), is amended to read as follows:

16 Section 1455. A. There is hereby re-created, to continue until
17 July 1, ~~2020~~ 2021, in accordance with the provisions of the Oklahoma
18 Sunset Law, the Polygraph Examiners Board.

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

1 2. Any actions taken by any state agency on behalf of the
2 Polygraph Examiners Board or in an attempt to enforce the provisions
3 of the Polygraph Examiners Act shall be subject to review by the
4 Board. Any such acts may be rescinded or modified as deemed
5 appropriate by the Board, provided that such action shall not affect
6 any accrued right, or penalty incurred, or proceeding begun between
7 July 1, 1988, and October 12, 1988.

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

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

19 C. The Board shall consist of five (5) members who shall be
20 citizens of the United States and residents of the state for at
21 least two (2) years prior to appointment, all of whom shall have
22 been engaged for a period of two (2) consecutive years as polygraph
23 examiners prior to appointment to the Board, and at the time of
24 appointment active polygraph examiners. No two Board members may be

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

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

1 Passed the House of Representatives the 18th day of February,
2020.

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Presiding Officer of the House
of Representatives

6 Passed the Senate the ___ day of _____, 2020.

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Presiding Officer of the Senate