

By: Latham

H.B. No. 1103

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the administration of polygraph examinations to certain
3 officers and employees of the Department of Public Safety of the
4 State of Texas.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter A, Chapter 411, Government Code, is
7 amended by adding Section 411.00741 to read as follows:

8 Sec. 411.00741. POLYGRAPH EXAMINATIONS FOR CERTAIN OFFICERS
9 AND EMPLOYEES. (a) The department may require a commissioned or
10 noncommissioned officer or employee of the department to submit to
11 the administration of a polygraph examination administered by a
12 polygraph examiner if:

13 (1) the officer or employee is assigned to a position
14 that requires the officer or employee to work with a federal agency
15 on national security issues; and

16 (2) the federal agency requires that the officer or
17 employee submit to a polygraph examination.

18 (b) If an officer or employee does not submit to the
19 administration of a polygraph examination required under
20 Subsection (a), the department may, as applicable:

21 (1) remove the officer or employee from an assignment
22 to a position described by Subsection (a)(1); or

23 (2) refuse to assign the officer or employee to that
24 position.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2007.