

BILL ANALYSIS

S.B. 2180
By: Hagenbuch
Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that there are currently no standardized certification procedures or training requirements ensuring that peace officers who administer polygraph examinations possess the necessary expertise. The bill sponsor has also informed the committee that this lack of standardization has raised concerns about the accuracy and reliability of these examinations, particularly in critical areas such as preemployment screenings and criminal investigations. S.B. 2180 seeks to address these issues and improve the credibility and effectiveness of polygraph examinations conducted by peace officers by authorizing the Texas Commission on Law Enforcement to establish minimum requirements for the training, testing, and certification of peace officers to conduct polygraph examinations for certain purposes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 1 of this bill.

ANALYSIS

S.B. 2180 amends the Occupations Code to authorize the Texas Commission on Law Enforcement (TCOLE) by rule to establish minimum requirements for the training, testing, and certification of peace officers to conduct polygraph examinations for the following purposes:

- a preemployment examination of a candidate applying for a position that requires a license under statutory provisions relating to law enforcement officers; or
- a criminal investigation.

The bill requires TCOLE to adopt rules prohibiting a peace officer from conducting a polygraph examination for one of those purposes unless the officer completes a training course approved by TCOLE and passes an examination administered by TCOLE that is designed to test the officer's knowledge of investigative polygraphy. The bill requires TCOLE to issue a certification to conduct polygraph examinations to a peace officer who applies for the certification, completes the required training, and passes the required examination.

S.B. 2180 requires TCOLE to adopt rules required by the bill's provisions as soon as practicable after the bill's effective date and establishes that a peace officer is not required to comply with those rules until January 1, 2027.

EFFECTIVE DATE

September 1, 2025.