

By: Isaac

H.B. No. 4956

A BILL TO BE ENTITLED

AN ACT

relating to requiring a certification for peace officers to conduct certain polygraph examinations.

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

SECTION 1. Subchapter G, Chapter 1701, Occupations Code, is amended by adding Section 1701.318 to read as follows:

Sec. 1701.318. CERTIFICATION REQUIRED FOR PEACE OFFICERS TO CONDUCT POLYGRAPH EXAMINATIONS. (a) The commission by rule may establish minimum requirements for the training, testing, and certification of peace officers to conduct polygraph examinations for the purpose of:

(1) a preemployment examination of a candidate applying for a position that requires a license under this chapter;

(2) a criminal investigation; or

(3) a post-conviction sex offender test.

(b) The commission shall adopt rules prohibiting a peace officer from conducting a polygraph examination for a purpose described by Subsection (a) unless the officer:

(1) completes a training course approved by the commission; and

(2) passes an examination administered by the commission that is designed to test the officer's knowledge of investigative polygraphy.

(c) The commission shall issue a certification to conduct

1 polygraph examinations to a peace officer who applies for the
2 certification, completes the required training, and passes the
3 required examination.

4 (d) A peace officer holding a certification issued under
5 this section must conduct a test described by Subsection (a)(3) in
6 accordance with guidelines established by the American Polygraph
7 Association, or a successor entity.

8 SECTION 2. As soon as practicable after the effective date
9 of this Act, the Texas Commission on Law Enforcement shall adopt
10 rules required by Section 1701.318, Occupations Code, as added by
11 this Act.

12 SECTION 3. A peace officer is not required to comply with
13 rules adopted under Section 1701.318, Occupations Code, as added by
14 this Act, until January 1, 2027.

15 SECTION 4. This Act takes effect September 1, 2025.