

1 ENGROSSED HOUSE
2 BILL NO. 1443

By: Gann

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4 An Act relating to sunset; amending 59 O.S. 2011,
5 Section 1455, as last amended by Section 1, Chapter
6 233, O.S.L. 2015 (59 O.S. Supp. 2018, Section 1455),
7 which relates to the Polygraph Examiners Board; re-
8 creating the Board; and modifying termination date.

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

10 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1455, as
11 last amended by Section 1, Chapter 233, O.S.L. 2015 (59 O.S. Supp.
12 2018, Section 1455), is amended to read as follows:

13 Section 1455. A. There is hereby re-created, to continue until
14 July 1, ~~2019~~ 2020, in accordance with the provisions of the Oklahoma
15 Sunset Law, the Polygraph Examiners Board.

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

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

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 Any such acts may be rescinded or modified as deemed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

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

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

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

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

18 D. The vote of a majority of the Board members is sufficient
19 for passage of any business or proposal which comes before the
20 Board. The Board shall elect a chair, vice-chair, and secretary
21 from among its members.
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1 Passed the House of Representatives the 7th day of March, 2019.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2019.

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8 Presiding Officer of the Senate