

CHAPTER 560

S.B. No. 781

AN ACT

relating to prohibiting employment discrimination against deputy sheriffs in certain counties for refusing to take a polygraph examination.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter Z, Chapter 157, Local Government Code, is amended by adding Section 157.905 to read as follows:

*Sec. 157.905. POLYGRAPH EXAMINATION OF DEPUTY SHERIFF IN CERTAIN SHERIFF'S DEPARTMENTS. (a) This section applies only to a person appointed as a deputy sheriff in a sheriff's department in a county with a population of 2.8 million or more.*

*(b) Except as provided herein, a deputy sheriff may not be suspended, discharged, or subjected to any other form of employment discrimination because the deputy sheriff refuses to take a polygraph examination. Discipline may be given to a deputy sheriff who refuses to take a polygraph examination if such deputy sheriff is the subject of a complaint and the complainant against such deputy sheriff has, in the course of the department's investigation of the complaint, previously taken and successfully passed a polygraph examination.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 15, 1993: Yeas 30, Nays 0; the Senate concurred in House amendment on May 26, 1993: Yeas 30, Nays 0; passed the House, with amendment, on May 21, 1993, by a non-record vote.

Approved June 11, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.