

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/22/17

A Bill

SENATE BILL 575

By: Senator A. Clark

For An Act To Be Entitled

AN ACT CONCERNING THE APPEARANCE OF WITNESSES BEFORE
LEGISLATIVE COMMITTEES AND SUBCOMMITTEES; AND FOR
OTHER PURPOSES.

Subtitle

CONCERNING THE APPEARANCE OF WITNESSES
BEFORE LEGISLATIVE COMMITTEES AND
SUBCOMMITTEES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 10-2-306 is amended to read as follows:

*10-2-306. Administration of oaths by committee – ~~Depositions—~~
Perjury.*

(a) The chair or a member at any time acting as chair of a committee of either house of the General Assembly, ~~or a joint committee of the two (2) houses of the General Assembly, or a subcommittee of the two (2) houses a committee of either house of the General Assembly or a joint committee of the two (2) houses of the General Assembly,~~ or his or her designee, ~~when the committee is empowered to issue subpoenas for persons, papers, or records, shall be fully empowered to administer oaths and to take depositions for the purpose for which the committee or joint committee is empowered to issue subpoenas for persons, papers, or records~~ may administer oaths.

(b)(1) ~~If a person subpoenaed to appear before the Senate, the House of Representatives, or a Senate or House committee or joint interim committee fails to appear or produce subpoenaed material, the fact of the refusal to appear or produce subpoenaed material shall be certified to the circuit court~~



~~of the county in which the hearing is held.~~

~~(2) The circuit court shall punish the person for contempt of the General Assembly under subdivision (b)(1) of this section in the same manner as punishment for contempt is imposed for failure to respond to a subpoena or directive of the circuit court.~~

~~(e)(b) A person who is administered the oath and who provides false testimony while under oath is guilty of perjury and subject to the penalties prescribed by law.~~

(c) As used in this section, "joint committee" includes without limitation the:

- (1) Legislative Council;
- (2) Joint Budget Committee; and
- (3) Legislative Joint Auditing Committee.

SECTION 2. Arkansas Code § 10-2-307 is amended to read as follows:
10-2-307. Subpoena by committee – Depositions.

~~(a) The committee so empowered~~ A committee of either house of the General Assembly or a joint committee of the two (2) houses of the General Assembly may issue its a subpoena signed by its chair or acting chair for the attendance of witnesses and the production of papers or records, and the subpoena may be served by any officer authorized to serve process in civil cases.

(b) The chair or a member at any time acting as chair of a committee of either house of the General Assembly or a joint committee of the two (2) houses of the General Assembly, or his or her designee, may take depositions for the purpose for which the committee or joint committee may issue subpoenas for persons, papers, or records.

(c)(1) If a person subpoenaed to appear before the Senate, the House of Representatives, a committee of either house of the General Assembly, or a joint committee of the two (2) houses of the General Assembly fails to appear or produce subpoenaed material, the fact of the refusal to appear or produce subpoenaed material shall be certified to the circuit court of the county in which the hearing is held.

(2) The circuit court shall punish the person for contempt of the General Assembly under subdivision (c)(1) of this section in the same manner as punishment for contempt is imposed for failure to respond to a

subpoena or directive of the circuit court.

/s/A. Clark