

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

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

As Engrossed: S3/22/17

# A Bill

SENATE BILL 575

5 By: Senator A. Clark  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING THE APPEARANCE OF WITNESSES BEFORE  
9 LEGISLATIVE COMMITTEES AND SUBCOMMITTEES; AND FOR  
10 OTHER PURPOSES.  
11

## Subtitle

12  
13 CONCERNING THE APPEARANCE OF WITNESSES  
14 BEFORE LEGISLATIVE COMMITTEES AND  
15 SUBCOMMITTEES.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

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

22 *10-2-306. Administration of oaths by committee – ~~Depositions—~~*  
23 *Perjury.*

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

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



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

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

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

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

11 (1) Legislative Council;

12 (2) Joint Budget Committee; and

13 (3) Legislative Joint Auditing Committee.

14  
15 SECTION 2. Arkansas Code § 10-2-307 is amended to read as follows:  
16 10-2-307. Subpoena by committee – Depositions.

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

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

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

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

1 subpoena or directive of the circuit court.

2

3

/s/A. Clark

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36