

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

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

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13 CONCERNING THE APPEARANCE OF WITNESSES
14 BEFORE LEGISLATIVE COMMITTEES AND
15 SUBCOMMITTEES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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 or subcommittee of either house of the General Assembly, ~~or a joint~~
26 committee, or a subcommittee of the two (2) houses either house of the
27 General Assembly or a joint committee, or his or her designee, ~~when the~~
28 ~~committee is empowered to issue subpoenas for persons, papers, or records,~~
29 ~~shall be fully empowered to may:~~

30 (1) ~~administer~~ Administer oaths; and

31 (2) ~~and to take~~ Take depositions for the purpose for which the
32 committee, ~~or joint committee, or subcommittee is empowered to issue~~
33 ~~subpoenas~~ issued a subpoena for persons, papers, or records.

34 (b)(1) If a person subpoenaed to appear before the Senate, the House
35 of Representatives, ~~or a Senate or House committee, or a joint interim~~
36 committee, or a subcommittee of the two (2) houses of the General Assembly or



1 a joint committee fails to appear or produce subpoenaed material, the fact of
2 the refusal to appear or produce subpoenaed material shall be certified to
3 the circuit court of the county in which the hearing is held.

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

8 (c) A person who is administered the oath and who provides false
9 testimony while under oath is guilty of perjury and subject to the penalties
10 prescribed by law.

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

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

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17 SECTION 2. Arkansas Code § 10-2-307 is amended to read as follows:

18 10-2-307. Subpoena by committee or subcommittee.

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

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

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