

The Senate Special Judiciary Committee offered the following substitute to SB 7:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to the General Assembly of Georgia, so as to require an oath or
3 affirmation for purposes of presenting certain evidence to a committee or subcommittee of
4 the General Assembly; to provide a short title; to authorize the recording of certain sworn
5 testimony; to provide for certain criminal penalties; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

8 This Act shall be known and may be cited as the "Truth in Testimony Act."
9

SECTION 2.

10 Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to general
11 provisions relative to the General Assembly of Georgia, is amended by adding a new Code
12 section to read as follows:
13

14 "28-1-18.

15 (a) The sanction of an oath or affirmation equivalent thereto may, at the discretion of the
16 chairperson of any committee or subcommittee of the General Assembly, be made
17 necessary to the receipt of any testimony by such committee or subcommittee in a meeting
18 thereof.

19 (b) The following oath shall be administered by the chairperson of the committee or
20 subcommittee to a person providing testimony:

21 'Do you solemnly swear or affirm that the testimony you shall give before this committee
22 (subcommittee) shall be the truth, the whole truth, and nothing but the truth, so help you
23 God?'

24 The chairperson is authorized to have such sworn testimony recorded. Only recorded
25 statements shall be a basis for subjecting a witness before a legislative committee or
26 subcommittee to the provisions of Code Section 16-10-71.

27 (c) Any person who knowingly and willfully makes a false or fraudulent statement in any
28 recorded statement before a legislative committee or subcommittee that is:

29 (1)(A) In response to a specific question directed to such person by a member of the
30 General Assembly; or

31 (B) A statement upon which a member of such committee or subcommittee might
32 reasonably be expected to rely in determining whether to offer, modify, or vote for or
33 against a bill or proposed legislation; and

34 (2) Made after an oath that substantially complies with the language of this Code section
35 has been administered

36 shall be guilty of false swearing and shall be subject to any penalties therefor prescribed
37 by Code Section 16-10-71.

38 (d) Any person whose speech or debate is privileged under Article III, Section IV,
39 Paragraph IX of the Constitution shall not be subject to this Code section."

40 **SECTION 3.**

41 All laws and parts of laws in conflict with this Act are repealed.