

## Senate Resolution 163

By: Senators Mullis of the 53rd, Shafer of the 48th, Cowsert of the 46th, Gooch of the 51st, Hill of the 32nd and others

## A RESOLUTION

- 1 Authorizing the Senate Rules Committee, during the 2015-2016 biennium of the General Assembly, to place witnesses under oath or affirmation when testifying before said committee in regard to legislation which is then in the possession of the committee or eligible for placement on the rules calendar of the Senate; and for other purposes.
- 5 WHEREAS, the General Assembly of Georgia has both inherent and statutory powers to institute and conduct inquiries in aid of its legislative and government oversight functions, including but not limited to the power to administer oaths to witnesses in the course of such proceedings; and
- 9 WHEREAS, the right to make lawful inquiries is a right separate and distinct in each chamber of the General Assembly; and
- 11 WHEREAS, the legislature may proceed to make inquiries within its authority by means of committees of one or both chambers; and
- 13 WHEREAS, delegating authority to a committee to place witnesses under oath or affirmation when testifying before that committee can be a useful tool for seeking the truth and ascertaining the facts in such inquiries; and
- 16 WHEREAS, it is fitting and proper that, in aid of its legislative function, the Senate Rules Committee be authorized to place witnesses under oath or affirmation when testifying before said committee with regard to legislation which is then in the possession of the committee or eligible for placement on the rules calendar of the Senate.
- 20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the Senate Rules Committee is authorized, during the 2015-2016 biennium of the General Assembly, to place witnesses under oath or affirmation when testifying before said committee in regard to

23 legislation which is then in the possession of the committee or eligible for placement on the  
24 rules calendar of the Senate.

25 BE IT FURTHER RESOLVED that the discretion to place any witness under oath or  
26 affirmation as authorized by this resolution shall lie with the chairperson of the Senate Rules  
27 Committee.

28 BE IT FURTHER RESOLVED that any such oath or affirmation shall be administered by  
29 a notary public employed by the General Assembly, pursuant to paragraph (3) of subsection  
30 (a) of Code Section 45-17-8 of the Official Code of Georgia Annotated.

31 BE IT FURTHER RESOLVED that such sworn or affirmed testimony shall be subject to the  
32 provisions of Code Section 16-10-71 of the Official Code of Georgia Annotated.

33 BE IT FURTHER RESOLVED that the chairperson of the Senate Rules Committee shall  
34 cause an accurate and complete record of any and all such sworn or affirmed testimony to  
35 be made and shall file the same with the Secretary of the Senate not later than 30 days after  
36 the date of such testimony, and the Secretary of the Senate shall preserve the same for not  
37 less than four years after the date of the testimony.

38 BE IT FURTHER RESOLVED that any cost of making and preserving a record of such  
39 sworn or affirmed testimony before the Senate Rules Committee shall come from funds  
40 appropriated or otherwise made available to the Senate.