

House Resolution 257

By: Representatives Hugley of the 141st, Park of the 107th, Miller of the 62nd, Frye of the 122nd, Alexander of the 66th, and others

A RESOLUTION

1 Creating and authorizing the House Special Committee on Oversight of Federal Funds; to
2 provide for the issuance of compulsory process to secure the attendance of witnesses or the
3 production of documents and materials; and for other purposes.

4 WHEREAS, the use of federal funds as well as compliance with federally required auditing
5 procedures merits close scrutiny and oversight; and

6 WHEREAS, it is important to collect information from other branches of government,
7 including subpoena and compelled testimony, relating to the use of federal funds and
8 auditing procedures; and

9 WHEREAS, a complete list of all federal funds received by the state, including the amount,
10 purpose, source, recipients of such funds, criteria for distribution of such funds, and funds
11 not expended and the reasons why, should be compiled and should include:

12 (1) A copy of the initial Notice of Grant Award from the federal government to this state
13 for the prior three years;

14 (2) A list of accounts and project ledger names for the recording of expenditures by project
15 detail, the identity of the accounting system used to track costs, and a list of reports used
16 to track costs by project;

17 (3) The most recent copy of financial statements, balance sheet of funds, income received
18 for funds, and any and all balance sheets related to funds; and

19 (4) Budget comparisons with actual expenditures on a monthly basis precluding drawdown
20 of federal funds in excess of total funds authorized on the Notice of Grant Award, total
21 funds available for any cost category, either restricted or nonrestricted, on the Notice of
22 Grant Award; and

23 WHEREAS, reports on the progress of programs funded with federal dollars, including
24 performance data and outcome measures, should be issued on a regular basis, to include:

25 (1) A listing of accounting entries with evidence to support the entry. A listing of
26 personnel and their responsibilities for receipt, payment, distribution, and recording of
27 federal funds;

28 (2) A listing of all established tracking expenditure policies and procedures against budget
29 or the funding amounts. If tracked, provide documentation to suffice for the monitoring
30 of tracked funds received and distributed; and

31 (3) A list of personnel responsible for tracking and monitoring federal funds and projects,
32 including dollar amounts; and

33 WHEREAS, a complete list of all relevant federal guidelines, regulations, and funding
34 agreements, as well as any waivers or exemptions granted from federal requirements, would
35 be of great value; and

36 WHEREAS, information on any audits or evaluations conducted on the use of federal funds,
37 including findings and recommendations, and information on any instances of misuse or
38 misappropriation of federal funds, including any investigations and corrective actions taken,
39 should be made available; and

40 WHEREAS, the General Assembly, of which the House of Representatives is a part, has "the
41 power to make all laws not inconsistent with this Constitution, and not repugnant to the
42 Constitution of the United States, which it shall deem necessary and proper for the welfare
43 of the state" according to Article III, Section VI, Paragraph I of the Georgia Constitution; and

44 WHEREAS, the Georgia Supreme Court, in *Dean v. Bolton*, 235 Ga. 544, held that
45 constitutional separation of powers does not prohibit the legislative branch from investigating
46 the official conduct of any person performing duties in any branch of the government; and

47 WHEREAS, the House of Representatives has the inherent power and authority to conduct
48 investigations into any matter relevant to the administration of existing laws, proposals for
49 new or amended laws, the expenditure of public funds, the conduct of public officers who
50 discharge powers and duties under state law, and any other matter germane to its role as part
51 of the legislative branch of state government; and

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53 WHEREAS, such inherent powers also include the authority to create special committees for
54 the purpose of conducting investigations and to endow such committees with all the inherent
55 powers of investigation possessed by the House of Representatives, including the power to
56 compel the appearance and testimony of witnesses and the production of records and the
57 power to place witnesses under oath or affirmation; and

58 WHEREAS, in addition to such inherent powers, Code Sections 45-15-17 and 45-15-19
59 empower the General Assembly to make investigations into the affairs of the state and further
60 authorize compelling the appearance and testimony of witnesses and the production of
61 records and grants, the power to place witnesses under oath or affirmation, and the
62 enforcement of subpoenas issued pursuant thereto; and

63 WHEREAS, Article III, Section IV, Paragraph IV of the Georgia Constitution provides for
64 the creation of interim committees pursuant to the authority of the General Assembly or of
65 either house.

66 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

67 (1) **Delegation of authority and creation and authorization of the house special**
68 **committee.** The House of Representatives hereby delegates its powers to the House
69 Special Committee on Oversight of Federal Funds, which is created and authorized.

70 (2) **Members and officers.** The committee shall be composed of nine members to be
71 appointed as follows:

72 (A) A chairperson who shall be a member of the House of Representatives appointed
73 by the Speaker of the House of Representatives;

74 (B) Four members of the House of Representatives appointed by the House Majority
75 Leader; and

76 (C) Four members of the House of Representatives appointed by the House Minority
77 Leader.

78 (3) **Powers and duties.** The committee is hereby authorized to undertake a legislative
79 investigation into the issues mentioned above or related thereto. For the purpose of
80 conducting any investigation as provided herein, the committee shall have the power to
81 administer oaths; to call any party to testify under oath at such investigations; to require
82 the attendance of witnesses and the production of books, records, and papers; and to take
83 the depositions of witnesses. For such purposes, the committee is authorized to issue
84 subpoenas for any witness or to compel the production of any books, records, or papers
85 and is further authorized to undertake such actions as may be necessary to enforce such
86 subpoenas in cases of refusal to obey. The committee may establish rules of operation;
87 provided, however, the committee may not establish rules that authorize one member to
88 issue subpoenas without the consent of the committee as demonstrated by a majority vote

89 at a meeting where a quorum is present or without the express, written consent of the
90 chairperson of the committee.

91 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
92 may conduct such meetings at such places and at such times as it may deem necessary or
93 convenient, including at any time during the interim period occurring following the
94 House of Representatives adjourning *sine die*, to enable it to exercise fully and effectively
95 its powers, perform its duties, and accomplish the objectives and purposes of this
96 resolution.

97 (5) **Allowances and Funding.**

98 (A) The legislative members of the committee shall receive the allowances provided
99 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

100 (B) The allowances authorized by this resolution shall not be received by any member
101 of the committee for more than five days unless additional days are authorized. Funds
102 necessary to carry out the provisions of this resolution shall come from funds
103 appropriated to the House of Representatives.

104 (6) **Report.**

105 (A) In the event the committee adopts any specific findings or recommendations that
106 include suggestions for proposed legislation or changes in appropriations, the
107 chairperson shall file a report of the same, subject to subparagraph (C) of this
108 paragraph.

109 (B) In the event the committee adopts a report that does not include suggestions for
110 proposed legislation or changes in appropriations, the chairperson shall file the report,
111 subject to subparagraph (C) of this paragraph.

112 (C) No report shall be filed unless the same has been approved by majority vote of a
113 quorum of the committee. A report so approved shall be signed by the chairperson of
114 the committee and filed with the Clerk of the House of Representatives.

115 (D) In the absence of an approved report, the chairperson may file with the Clerk of the
116 House of Representatives a copy of the minutes of the meetings of the committee in lieu
117 thereof.

118 (7) **Abolishment.** The committee shall stand abolished on December 15, 2026.