

Senate Resolution 292

By: Senators Cowsert of the 46th, Kennedy of the 18th, Gooch of the 51st, Dolezal of the 27th, Anavitarte of the 31st and others

A RESOLUTION

1 Authorizing the Senate Special Committee on Investigations to investigate additional
2 matters; to authorize the use of compulsory process to secure the attendance of witnesses or
3 the production of documents and materials related to such additional matters; and for other
4 purposes.

5 WHEREAS, on January 15, 2025, the State Ethics Commission agreed to a settlement of a
6 long-running ethics investigation into the New Georgia Project and the associated New
7 Georgia Action Fund, both of which were founded by Stacey Abrams, that resulted in the
8 payment of a \$300,000.00 fine, the largest fine for an ethics violation in Georgia history; and

9 WHEREAS, as part of such settlement, the New Georgia Project and the New Georgia
10 Action Fund admitted to 16 violations of Georgia campaign finance laws by illegally raising
11 \$4.2 million in donations and spending \$3.2 million of dark money in support of Stacey
12 Abrams' 2018 campaign for Governor and the state-wide campaigns of other Democrats
13 running in the 2018 general election; and

14 WHEREAS, the New Georgia Project and the New Georgia Action Fund also admitted to
15 illegally raising \$646,000.00 in contributions and making \$174,000.00 in dark money

16 expenditures in support of a referendum seeking to have Gwinnett County join the
17 Metropolitan Atlanta Rapid Transit Authority; and

18 WHEREAS, such funds were used for establishing field offices, canvassing activities,
19 campaign literature promoting Stacey Abrams and other state-wide candidates, and social
20 media engagement by the purportedly nonpartisan New Georgia Project and New Georgia
21 Action Fund; and

22 WHEREAS, it is reported that Rick Thompson, the vice chairman of the State Ethics
23 Commission, lamented that the actions of the New Georgia Project and the New Georgia
24 Action Fund should be criminal because of the significant impact secret money can have on
25 elections; and

26 WHEREAS, in February 2025, Lee Zeldin, the administrator of the federal Environmental
27 Protection Agency, announced that another organization with ties to Stacey Abrams, Power
28 Forward Communities, was awarded a \$2 billion dollar grant in 2024; and

29 WHEREAS, Administrator Zeldin stated that such grant was governed by a grant agreement
30 that provided for the funds to be disbursed within 21 days, with such disbursements made at
31 the discretion of the organization more than 60 days before the organization was required to
32 complete training on preparing a budget; and

33 WHEREAS, inquiry into the foregoing issues may show that existing state laws, including
34 those establishing processes related to campaign finance and the operation of nonprofit
35 organizations, are inadequate to address various legal and fiscal issues raised by the alleged
36 and admitted conduct of multiple organizations with connections to Stacey Abrams; and

37 WHEREAS, such inquiry is necessary to determine whether Georgia laws related to
38 campaign finance and ethics need to be strengthened to eliminate coordination between
39 campaigns and advocacy organizations, or whether additional resources are necessary for
40 state enforcement and oversight of such activities; and

41 WHEREAS, such inquiry is necessary to determine if any link exists between organizations
42 receiving federal funds and political activities occurring within the State of Georgia such as
43 the alleged and admitted conduct by multiple organizations associated with Stacey Abrams
44 and whether additional state law or enforcement tools are necessary to address such illegal
45 coordination and misuse of public funds; and

46 WHEREAS, the General Assembly, of which the Senate is a part, has "the power to make
47 all laws not inconsistent with this Constitution, and not repugnant to the Constitution of the
48 United States, which it shall deem necessary and proper for the welfare of the state"; see Ga.
49 Const. Art. III, Sec. VI, Para. I; and

50 WHEREAS, the General Assembly is further specifically empowered by the Constitution of
51 the State of Georgia to pass legislation regarding the conducting of elections, see Ga. Const.
52 Art. II, Sec. I, Para. I; and

53 WHEREAS, the Senate has the inherent power and authority to conduct investigations into
54 any matter relevant to the administration and enforcement of existing laws, proposals for new
55 or amended laws, and any other matter germane to its role as part of the legislative branch
56 of state government; and

57 WHEREAS, the superior court of the Atlanta Judicial Circuit has considered the question of
58 the Senate's authority to create the Special Committee on Investigations, see *Willis v. The*

59 *Georgia Senate Special Committee on Investigations, et al.*, Civil Action No. 24CV011204
60 (Ga. Super. Dec. 23, 2024); and

61 WHEREAS, the Superior Court in *Willis* agreed and acknowledged that precedent maintains
62 that the "inherent powers of our State General Assembly are awesome ... The legislature is
63 absolutely unrestricted in its power to legislate, so long as it does not undertake to enact
64 measures prohibited by the State or Federal Constitution," *Willis* at 2 (citing *Ga. Power Co.*
65 *v. Allied Chem. Corp.*, 233 Ga. 558, 565 (citing *Sears v. State of Georgia*, 232 Ga. 547,
66 553-54)); and

67 WHEREAS, the *Willis* court further recognized that the "State Constitution authorizes each
68 chamber to adopt its own rules and create committees ... Here, the Senate, as a chamber,
69 empowered itself to issue subpoenas, which it was authorized to do," *Willis* at 3 (citing Ga.
70 Const. Art. III, Sec. IV, Par. IV; *Coggin v. Davey*, 233 Ga. 407, 411); and

71 WHEREAS, such inherent powers also include the authority to create special committees for
72 the purpose of conducting investigations and to endow such committees with all the inherent
73 powers of investigation possessed by the Senate, including the power to compel the
74 appearance and testimony of witnesses and the production of records and the power to place
75 witnesses under oath or affirmation; and

76 WHEREAS, in addition to such inherent powers, Code Sections 45-15-17 and 45-15-19
77 empower the General Assembly to make investigations into the affairs of the state and further
78 authorize compelling the appearance and testimony of witnesses and the production of
79 records and grants, the power to place witnesses under oath or affirmation, and to enforce
80 subpoenas issued pursuant thereto; and

81 WHEREAS, Article III, Section IV, Paragraph IV of the Georgia Constitution provides for
82 the creation of interim committees pursuant to the authority of the General Assembly or of
83 either house; and

84 WHEREAS, on January 13, 2025, the Senate adopted Senate Resolution 5 to recreate and
85 reauthorize the Senate Special Committee on Investigations, and empowered such committee
86 to investigate alleged and admitted misconduct by Fani Willis, the district attorney for the
87 Atlanta Judicial Circuit; and

88 WHEREAS, Senate Resolution 5 authorized the Senate Special Committee on Investigations
89 to undertake a legislative investigation, and granted such committee the power to administer
90 oaths, call parties to testify under oath, require the attendance of witnesses and the production
91 of books, records, and papers; and

92 WHEREAS, Senate Resolution 5 further authorized the Senate Special Committee on
93 Investigations to issue subpoenas for witnesses or to compel the production of books,
94 records, or papers, and authorized such committee to take such actions as it deems necessary;
95 and

96 WHEREAS, in the exercise of the aforesaid powers, it is necessary to determine whether the
97 conduct of various organizations associated with Stacey Abrams should be addressed by the
98 enactment of new or amended laws of state-wide application, prompt some change in state
99 enforcement of campaign finance and ethics laws, or both; and

100 WHEREAS, it is the sense of the Senate that such issues arising from or relating to the
101 alleged and admitted conduct of various organizations associated with Stacey Abrams are

102 best examined by a select group of Senators who, acting as a special committee, shall be
103 empowered to exercise each of the Senate's inherent and statutory powers of investigation.

104 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

105 (1) **Expansion of Authority Already Delegated to the Senate Special Committee.**

106 The Senate hereby authorizes and empowers the Senate Special Committee on
107 Investigations, established by Senate Resolution 5 to investigate and report upon the
108 additional matters outlined in this resolution, and that such investigations and reports
109 shall be in addition to, not in lieu of, the investigations authorized in Senate Resolution
110 5.

111 (2) **Members and officers.** The existing members and officers of the Senate Special
112 Committee on Investigations shall remain as originally provided for in Senate Resolution
113 5.

114 (3) **Powers and duties.** The committee is hereby authorized to undertake an expanded
115 legislative investigation into the issues mentioned above or related thereto. For the
116 purpose of conducting any expanded investigation as provided herein, the committee
117 shall have the same power to administer oaths; to call any party to testify under oath at
118 such investigations; to require the attendance of witnesses and the production of books,
119 records, and papers; and to take the depositions of witnesses as provided for in Senate
120 Resolution 5. For such purposes, the committee is reauthorized to issue subpoenas for
121 any witness or to compel the production of any books, records, or papers and is further
122 reauthorized to undertake such actions as may be necessary to enforce such subpoenas
123 in cases of refusal to obey.

124 (4) **Rules and meetings.** Operation and meetings of the Senate Special Committee on
125 Investigations carrying out the expanded investigatory powers granted in this resolution
126 shall be governed by the provisions of Senate Resolution 5 regarding the rules and

127 meetings of such committee to enable the committee to exercise fully and effectively its
128 powers, perform its duties, and accomplish the objectives and purposes of this resolution.

129 (5) **Funding.** Funds necessary to carry out the provisions of this resolution shall come
130 from funds appropriated to the Senate.

131 (6) **Report.**

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

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

139 (C) No report shall be filed unless the same has been approved by majority vote of a
140 quorum of the committee. A report so approved shall be signed by the chairperson of
141 the committee and filed with the Secretary of the Senate.

142 (D) In the absence of an approved report, the chairperson may file with the Secretary
143 of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.