

H. B. 4635

(By Delegates Manypenny and Doyle)

[Introduced February 20, 2012; referred to the
Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §4-1-5b, relating to
requiring persons giving testimony or providing information to
the Legislature to attest to the truthfulness of the testimony
or information; providing who may administer the oath;
defining a term; and providing penalties.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section, designated §4-1-5b to read as
follows:

**ARTICLE 1. OFFICERS, MEMBERS AND EMPLOYEES; APPROPRIATIONS;
INVESTIGATIONS; DISPLAY OF FLAGS; RECORDS; USE OF
CAPITOL BUILDING; PREFILING OF BILLS AND
RESOLUTIONS; STANDING COMMITTEES; INTERIM MEETINGS;**

1 **NEXT MEETING OF THE SENATE.**2 **§4-1-5b. Testimony of witnesses; truthfulness; oath; penalty.**

3 (a) A person providing testimony or information to the
4 Legislature, the House of Delegates, the Senate or any legislative
5 committee shall do so under oath or affirmation. The oath or
6 affirmation may be executed by signing a sworn statement regarding
7 the truthfulness of the testimony or information prior to its
8 submission.

9 (b) The oaths and affirmations to be taken by any witness
10 before the House of Delegates, the Senate or any legislative
11 committee may be administered by the Speaker of the House of
12 Delegates, the President of the Senate, the chairperson of the
13 legislative committee, or Clerk of the House of Delegates or the
14 Clerk of the Senate, as may be appropriate to the respective
15 chambers and their committees.

16 (c) For purposes of this section "legislative committee" means
17 any legislative committee, subcommittee, joint committee,
18 commission, or any other legislative body comprised of members of
19 the Legislature.

20 (d) It is unlawful for any person to knowingly present to the
21 Legislature, the House of Delegates, the Senate or a legislative
22 committee a false sworn oral or written statement or information as
23 to any material fact that may be reasonably relied upon in the
24 performance of their duties. Any person who violates this section

1 is guilty of a misdemeanor and, upon conviction thereof, shall be
2 fined not more than \$5,000, confined in jail for no more than
3 thirty days, or both fined and confined.

NOTE: The purpose of this bill is to require persons giving testimony or providing information to the Legislature to attest to the truthfulness of the testimony or information. The bill provides who may administer the oath. The bill defines a term. The bill also provides penalties.

This section is new; therefore, it has been completely underscored.