

UNSWORN DECLARATION AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay L. McIff

Senate Sponsor: _____

LONG TITLE

General Description:

This bill makes amendments to the Judicial Code.

Highlighted Provisions:

This bill:

- allows an unsworn written declaration to be signed electronically.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

78B-5-705, as renumbered and amended by Laws of Utah 2008, Chapter 119

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 78B-5-705 is amended to read:

78B-5-705. Unsworn declaration in lieu of affidavit.

(1) If [the Utah Rules of Criminal Procedure, Civil Procedure, or Evidence require] a statute or court rule requires or [permit] permits a written declaration upon oath, an individual may, with like force and effect, provide an unsworn written declaration, subscribed and dated under penalty of this section, in substantially the following form:



28 "I declare (or certify, verify, or state) under criminal penalty of the State of Utah that the
29 foregoing is true and correct.

30 Executed on (date).

31 (Signature)".

32 (2) An electronic signature may be used if the declaration is filed using a court based
33 electronic filing account under the declarant's name.

34 [~~2~~] (3) A person who knowingly makes a false written statement as provided under
35 Subsection (1) is guilty of a class B misdemeanor.

Legislative Review Note
as of 12-20-13 1:12 PM

Office of Legislative Research and General Counsel