

Representative Kay L. McIff proposes the following substitute bill:

**UNSWORN DECLARATION AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kay L. McIff**

Senate Sponsor: \_\_\_\_\_

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**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

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*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 or permit a written declaration upon oath, an individual may, with like force and effect, provide



26 an unsworn written declaration, subscribed and dated under penalty of this section, in  
27 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) In any court ~~it~~ **→ [action] filing ←** it, if a statute or court rule permits an affidavit  
32a or other declaration  
33 upon oath, an individual may, with like force and effect, provide an unsworn written  
34 declaration in the form listed in Subsection (1) ~~it~~ **→ [as long as the individual files the declaration]**  
34a **including ←** it  
35 using the court's efilng system.

36 ~~[(2)]~~ (3) A person who knowingly makes a false written statement as provided under  
37 Subsection (1) is guilty of a class B misdemeanor.