

## HB0251S01 compared with HB0251

~~deleted text~~ shows text that was in HB0251 but was deleted in HB0251S01.

inserted text shows text that was not in HB0251 but was inserted into HB0251S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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~~{}~~ ~~{}~~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:

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

Executed on (date).

(Signature)".

(2) ~~{}~~An electronic signature may be used if~~}~~ In any court action, if a statute or court rule permits an affidavit or other declaration upon oath, an individual may, with like force and effect, provide an unsworn written declaration in the form listed in Subsection (1), as long as the individual files the declaration ~~{}~~is filed~~}~~ using ~~{}~~a court based electronic filing account under the declarant's name~~}~~ the court's e filing system.

~~{}~~ (3) A person who knowingly makes a false written statement as provided under Subsection (1) is guilty of a class B misdemeanor.

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**Legislative Review Note**

~~as of 12-20-13 1:12 PM~~

~~Office of Legislative Research and General Counsel~~