

**Effective 5/8/2018**

**Chapter 18a**  
**Uniform Unsworn Declarations Act**

**Part 1**  
**General Provisions**

**78B-18a-101 Title.**

This chapter is known as the "Uniform Unsworn Declarations Act."

Enacted by Chapter 298, 2018 General Session

**78B-18a-102 Definitions.**

In this chapter:

- (1) "Law" includes a statute, judicial decision or order, rule of court, executive order, and administrative rule, regulation, or order.
- (2) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (3) "Sign" means, with present intent to authenticate or adopt a record:
  - (a) to execute or adopt a tangible symbol; or
  - (b) to attach to or logically associate with the record an electronic symbol, sound, or process.
- (4)
  - (a) "Sworn declaration" means a declaration in a signed record given under oath.
  - (b) "Sworn declaration" includes a sworn statement, verification, certificate, and affidavit.
- (5) "Unsworn declaration" means a declaration in a signed record not given under oath but given under penalty of Title 76, Chapter 8, Part 5, Falsification in Official Matters.

Enacted by Chapter 298, 2018 General Session

**78B-18a-103 Applicability.**

This chapter applies to an unsworn declaration by a declarant who at the time of making the declaration is physically located within or outside the boundaries of the United States, whether or not the location is subject to the jurisdiction of the United States.

Enacted by Chapter 298, 2018 General Session

**78B-18a-104 Validity of unsworn declaration.**

- (1) Except as otherwise provided in Subsection (2), if a law of this state requires or permits use of a sworn declaration, an unsworn declaration meeting the requirements of this chapter has the same effect as a sworn declaration.
- (2) This chapter does not apply to:
  - (a) a deposition;
  - (b) an oath of office;
  - (c) an oath required to be given before a specified official other than a notary public;
  - (d) a declaration to be recorded under Title 57, Real Estate; or
  - (e) an oath required by Section 75-2-504.

Enacted by Chapter 298, 2018 General Session

**78B-18a-105 Required medium.**

If a law of this state requires that a sworn declaration be presented in a particular medium, an unsworn declaration must be presented in the same medium.

Enacted by Chapter 298, 2018 General Session

**78B-18a-106 Form of unsworn declaration.**

An unsworn declaration under this chapter must be in substantially the following form:

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on the \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_.  
Date                      Month    Year                      City or other location, and state or country

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Signature

Enacted by Chapter 298, 2018 General Session

**78B-18a-107 Uniformity of application and construction.**

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Enacted by Chapter 298, 2018 General Session

**78B-18a-108 Relation to Electronic Signatures in Global and National Commerce Act.**

This chapter modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

Enacted by Chapter 298, 2018 General Session