

Senator Scott D. McCoy proposes the following substitute bill:

STATEMENT UNDER PENALTY OF PERJURY

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott D. McCoy

House Sponsor: Ross I. Romero

LONG TITLE

General Description:

This bill makes submission of a written false statement to a public servant in the performance of his official function a class B misdemeanor.

Highlighted Provisions:

This bill:

- provides that a false statement submitted to an official is a class B misdemeanor.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-8-504, as enacted by Chapter 196, Laws of Utah 1973

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

Section 1. Section **76-8-504** is amended to read:

76-8-504. Written false statement.

(1) A person is guilty of a class B misdemeanor if:



26 ~~[(1) He]~~ (a) he makes a written ~~[false]~~ statement which he does not believe to be true
27 on or pursuant to a form bearing a notification ~~[authorized by law]~~ to the effect that false
28 statements ~~[made therein]~~ are punishable; or

29 ~~[(2) With]~~ (b) with intent to deceive a public servant in the performance of his official
30 function, he:

31 ~~[(a) Makes]~~ (i) makes any written false statement which he knows is not true or does
32 not believe to be true; ~~[or]~~

33 ~~[(b) Knowingly]~~ (ii) knowingly creates a false impression in a written application for
34 any pecuniary or other benefit by omitting information necessary to prevent statements therein
35 from being misleading; ~~[or]~~

36 ~~[(c) Submits]~~ (iii) submits or invites reliance on any writing which he knows to be
37 lacking in authenticity; or

38 ~~[(d) Submits]~~ (iv) or invites reliance on any sample, specimen, map, boundary mark, or
39 other object which he knows to be false.

40 (2) The notification on the written statement shall inform the person that:

41 (a) upon signing the statement, he understands that he is attesting to the truth of the
42 statement; and

43 (b) attesting to the truth of the statement when he knows the statement is false is
44 punishable under this section.

45 (3) No person shall be guilty under this section if he retracts the ~~[falsification before it]~~
46 false statement before it is presented to the public servant in the performance of his official
47 function, or becomes manifest that the falsification was or would be exposed.