



General Assembly

January Session, 2009

**Committee Bill No. 708**

LCO No. 3616

\* SB00708JUD\_\_040209\_\_\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT ADOPTING THE UNIFORM UNSWORN FOREIGN  
DECLARATIONS ACT.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2009*) Sections 1 to 8, inclusive,  
2 of this act may be cited as the "Uniform Unsworn Foreign Declarations  
3 Act".

4 Sec. 2. (NEW) (*Effective October 1, 2009*) As used in sections 1 to 8,  
5 inclusive, of this act and section 53a-156 of the general statutes, as  
6 amended by this act:

7 (1) "Boundaries of the United States" means the geographic  
8 boundaries of the United States, Puerto Rico, the United States Virgin  
9 Islands, and any territory or insular possession subject to the  
10 jurisdiction of the United States.

11 (2) "Law" includes the United States Constitution or a state  
12 constitution, a federal or state statute, a judicial decision or order, a  
13 rule of court, an executive order, or an administrative rule, regulation,  
14 or order.

15 (3) "Record" means information that is inscribed on a tangible  
16 medium or that is stored in an electronic or other medium and is  
17 retrievable in perceivable form.

18 (4) "Sign" means, with present intent to authenticate or adopt a  
19 record:

20 (A) To execute or adopt a tangible symbol; or

21 (B) To attach to or logically associate with the record an electronic  
22 symbol, sound or process.

23 (5) "State" means a state of the United States, the District of  
24 Columbia, Puerto Rico, the United States Virgin Islands, or any  
25 territory or insular possession subject to the jurisdiction of the United  
26 States.

27 (6) "Sworn declaration" means a declaration in a signed record given  
28 under oath. "Sworn declaration" includes a sworn statement,  
29 verification, certificate or affidavit.

30 (7) "Unsworn declaration" means a declaration in a signed record  
31 that is not given under oath, but is given under penalty of perjury.

32 Sec. 3. (NEW) (*Effective October 1, 2009*) Sections 1 to 8, inclusive, of  
33 this act and section 53a-156 of the general statutes, as amended by this  
34 act, apply to an unsworn declaration by a declarant who at the time of  
35 making the declaration is physically located outside the boundaries of  
36 the United States whether or not the location is subject to the  
37 jurisdiction of the United States. Sections 1 to 8, inclusive, of this act  
38 and section 53a-156 of the general statutes, as amended by this act, do  
39 not apply to a declaration by a declarant who is physically located on  
40 property that is within the boundaries of the United States and subject  
41 to the jurisdiction of another country or a federally recognized Indian  
42 tribe.

43 Sec. 4. (NEW) (*Effective October 1, 2009*) If a law of this state requires  
44 or permits use of a sworn declaration, an unsworn declaration meeting

45 the requirements of sections 1 to 8, inclusive, of this act has the same  
46 effect as a sworn declaration.

47 Sec. 5. (NEW) (*Effective October 1, 2009*) If a law of this state requires  
48 that a sworn declaration be presented in a particular medium, an  
49 unsworn declaration must be presented in that medium.

50 Sec. 6. (NEW) (*Effective October 1, 2009*) An unsworn declaration  
51 under sections 1 to 8, inclusive, of this act shall be in substantially the  
52 following form:

53 I declare under penalty of perjury under the law of Connecticut that  
54 the foregoing is true and correct, and that I am physically located  
55 outside the geographic boundaries of the United States, Puerto Rico,  
56 the United States Virgin Islands, and any territory or insular  
57 possession subject to the jurisdiction of the United States.

58 Executed on this .... day of .... (month), .... (year),

59 at .... (city or other location, state), .... (country).

60 .... (printed name)

61 .... (signature)

62 Sec. 7. (NEW) (*Effective October 1, 2009*) In applying and construing  
63 the provisions of sections 1 to 8, inclusive, of this act and section 53a-  
64 156 of the general statutes, as amended by this act, consideration shall  
65 be given to the need to promote uniformity of the law with respect to  
66 its subject matter among states that enact such uniform provisions.

67 Sec. 8. (NEW) (*Effective October 1, 2009*) Sections 1 to 8, inclusive, of  
68 this act and section 53a-156 of the general statutes, as amended by this  
69 act, modify, limit and supersede the federal Electronic Signatures in  
70 Global and National Commerce Act, 15 USC Section 7001, et seq.,  
71 except that nothing in sections 1 to 8, inclusive, of this act or section  
72 53a-156 of the general statutes, as amended by this act, modifies, limits  
73 or supersedes Section 101(c) of said act, 15 USC Section 7001(c), or

74 authorizes electronic delivery of any of the notices described in Section  
 75 103(b) of that act, 15 USC Section 7003(b).

76 Sec. 9. Section 53a-156 of the general statutes is repealed and the  
 77 following is substituted in lieu thereof (*Effective October 1, 2009*):

78 (a) A person is guilty of perjury if, in any official proceeding, he  
 79 intentionally, under oath or in an unsworn declaration under section 1  
 80 to 8, inclusive, of this act, makes a false statement, swears, affirms or  
 81 testifies falsely, to a material statement which he does not believe to be  
 82 true.

83 (b) Perjury is a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	New section
Sec. 2	<i>October 1, 2009</i>	New section
Sec. 3	<i>October 1, 2009</i>	New section
Sec. 4	<i>October 1, 2009</i>	New section
Sec. 5	<i>October 1, 2009</i>	New section
Sec. 6	<i>October 1, 2009</i>	New section
Sec. 7	<i>October 1, 2009</i>	New section
Sec. 8	<i>October 1, 2009</i>	New section
Sec. 9	<i>October 1, 2009</i>	53a-156

**JUD**      *Joint Favorable*