



House Bill No. 5377

Public Act No. 10-33

AN ACT ADOPTING THE UNIFORM UNSWORN FOREIGN DECLARATIONS ACT.

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

Section 1. (NEW) (*Effective October 1, 2010*) Sections 1 to 8, inclusive, of this act may be cited as the "Uniform Unsworn Foreign Declarations Act".

Sec. 2. (NEW) (*Effective October 1, 2010*) As used in sections 1 to 8, inclusive, of this act and section 53a-156 of the general statutes, as amended by this act:

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

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

(3) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is

House Bill No. 5377

retrievable in perceivable form.

(4) "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.

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

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

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

Sec. 3. (NEW) (*Effective October 1, 2010*) Sections 1 to 8, inclusive, of this act apply to an unsworn declaration by a declarant who at the time of making the declaration is physically located outside the boundaries of the United States whether or not the location is subject to the jurisdiction of the United States. Sections 1 to 8, inclusive, of this act do not apply to a declaration by a declarant who is physically located on property that is within the boundaries of the United States and subject to the jurisdiction of another country or a federally recognized Indian tribe.

Sec. 4. (NEW) (*Effective October 1, 2010*) If a law of this state requires or permits use of a sworn declaration, an unsworn declaration meeting the requirements of sections 1 to 8, inclusive, of this act has the same

House Bill No. 5377

effect as a sworn declaration.

Sec. 5. (NEW) (*Effective October 1, 2010*) If a law of this state requires that a sworn declaration be presented in a particular medium, an unsworn declaration must be presented in that medium.

Sec. 6. (NEW) (*Effective October 1, 2010*) An unsworn declaration under sections 1 to 8, inclusive, of this act shall be in substantially the following form:

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

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

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

.... (printed name)

.... (signature)

Sec. 7. (NEW) (*Effective October 1, 2010*) In applying and construing the provisions of sections 1 to 8, inclusive, of this act, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among states that enact such uniform provisions.

Sec. 8. (NEW) (*Effective October 1, 2010*) Sections 1 to 8, inclusive, of this act modify, limit and supersede the federal Electronic Signatures in Global and National Commerce Act, 15 USC Section 7001, et seq., except that nothing in sections 1 to 8, inclusive, of this act modifies, limits or supersedes Section 101(c) of said act, 15 USC Section 7001(c), or authorizes electronic delivery of any of the notices described in

House Bill No. 5377

Section 103(b) of said act, 15 USC Section 7003(b).

Sec. 9. Section 53a-156 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

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

(b) Perjury is a class D felony.

Approved May 10, 2010