

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1345**

Chapter 22, Laws of 2011

62nd Legislature  
2011 Regular Session

UNIFORM UNSWORN FOREIGN DECLARATIONS ACT

EFFECTIVE DATE: 07/22/11

Passed by the House February 14, 2011  
Yeas 93 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate March 28, 2011  
Yeas 45 Nays 1

BRAD OWEN

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**President of the Senate**

Approved April 11, 2011, 2:30 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1345** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

April 11, 2011

**Secretary of State  
State of Washington**

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HOUSE BILL 1345

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Passed Legislature - 2011 Regular Session

State of Washington                      62nd Legislature                      2011 Regular Session

By Representatives Rivers, Pedersen, and Rodne; by request of Uniform  
Laws Commission

Read first time 01/19/11. Referred to Committee on Judiciary.

1            AN ACT Relating to the uniform unsworn foreign declarations act;  
2 and adding a new chapter to Title 5 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.**    SHORT TITLE.    This chapter may be cited as  
5 the uniform unsworn foreign declarations act.

6            NEW SECTION.    **Sec. 2.**    DEFINITIONS.    In this chapter:

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 federal or a state Constitution, a federal  
12 or state statute, a judicial decision or order, a rule of court, an  
13 executive order, and an administrative rule, regulation, or order.

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

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

1 (a) To execute or adopt a tangible symbol; or

2 (b) To attach to or logically associate with the record an  
3 electronic symbol, sound, or process.

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

8 (6) "Sworn declaration" means a declaration in a signed record  
9 given under oath. The term includes a sworn statement, verification,  
10 certificate, and affidavit.

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

13 NEW SECTION. **Sec. 3.** APPLICABILITY. This chapter applies to an  
14 unsworn declaration by a declarant who at the time of making the  
15 declaration is physically located outside the boundaries of the United  
16 States whether or not the location is subject to the jurisdiction of  
17 the United States. This chapter does not apply to a declaration by a  
18 declarant who is physically located on property that is within the  
19 boundaries of the United States and subject to the jurisdiction of  
20 another country or a federally recognized Indian tribe.

21 NEW SECTION. **Sec. 4.** VALIDITY OF UNSWORN DECLARATION. (1) Except  
22 as otherwise provided in subsection (2) of this section, if a law of  
23 this state requires or permits use of a sworn declaration, an unsworn  
24 declaration meeting the requirements of this chapter has the same  
25 effect as a sworn declaration.

26 (2) This chapter does not apply to:

27 (a) A deposition;

28 (b) An oath of office;

29 (c) An oath required to be given before a specified official other  
30 than a notary public;

31 (d) A declaration to be recorded pursuant to Title 64 or 65 RCW; or

32 (e) An oath required by RCW 11.20.020.

33 NEW SECTION. **Sec. 5.** REQUIRED MEDIUM. If a law of this state  
34 requires that a sworn declaration be presented in a particular medium,  
35 an unsworn declaration must be presented in that medium.

1 NEW SECTION. Sec. 6. FORM OF UNSWORN DECLARATION. An unsworn  
2 declaration under this chapter must be in substantially the following  
3 form:

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

9 Executed on the . . . . day of . . . . ., . . . . .,  
10 (date) (month) (year)

11 at . . . . ., . . . . .  
12 (city or other location, and state) (country)

13 . . . . .  
14 (printed name)

15 . . . . .  
16 (signature)

17 NEW SECTION. Sec. 7. UNIFORMITY OF APPLICATION AND CONSTRUCTION.  
18 In applying and construing this uniform act, consideration must be  
19 given to the need to promote uniformity of the law with respect to its  
20 subject matter among states that enact it.

21 NEW SECTION. Sec. 8. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL  
22 AND NATIONAL COMMERCE ACT. This chapter modifies, limits, and  
23 supersedes the federal electronic signatures in global and national  
24 commerce act, 15 U.S.C. Sec. 7001, et seq., but does not modify, limit,  
25 or supersede section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or  
26 authorize electronic delivery of any of the notices described in  
27 section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

28 NEW SECTION. Sec. 9. Sections 1 through 8 of this act constitute  
29 a new chapter in Title 5 RCW.

Passed by the House February 14, 2011.  
Passed by the Senate March 28, 2011.  
Approved by the Governor April 11, 2011.  
Filed in Office of Secretary of State April 11, 2011.