Z-0221.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5017**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 66th Legislature 2019 Regular Session**

**By** Senators Salomon, Van De Wege, and Pedersen; by request of Uniform Law Commission

AN ACT Relating to the uniform unsworn declarations act; amending RCW 5.50.010, 5.50.020, 5.50.050, 5.50.900, and 5.50.901; and repealing RCW 9A.72.085.

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

**Sec.**  RCW 5.50.010 and 2011 c 22 s 2 are each amended to read as follows:

In this chapter:

(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 federal or a state Constitution,~~)) a ((~~federal or state~~)) statute, ((~~a~~)) judicial decision or order, ((~~a~~)) rule of court, ((~~an~~)) executive order, and ((~~an~~)) administrative rule, regulation, or order.

((~~(3)~~)) (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.

((~~(4)~~)) (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.

((~~(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)~~)) (4) "Sworn declaration" means a declaration in a signed record given under oath. The term includes a sworn statement, verification, certificate, and affidavit.

((~~(7)~~)) (5) "Unsworn declaration" means a declaration in a signed record ((~~that is~~)) not given under oath((~~,~~)) but ((~~is~~)) given under penalty of perjury.

**Sec.**  RCW 5.50.020 and 2011 c 22 s 3 are each amended to read as follows:

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. ((~~This chapter does 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.**  RCW 5.50.050 and 2011 c 22 s 6 are each amended to read as follows:

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

I declare under penalty of perjury under the law of Washington 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~~)) Signed on the . . . . day of . . . . . ., . . . .,

 (date) (month) (year)

at . . . . . . . . . . . . . . . . . . .((~~, . . . . . . ..~~))

 (city or other location, and state or country) ((~~(country)~~))

. . . . . . . . .

 (printed name)

. . . . . . . . .

 (signature)

**Sec.**  RCW 5.50.900 and 2011 c 22 s 1 are each amended to read as follows:

This chapter may be cited as the uniform unsworn ((~~foreign~~)) declarations act.

**Sec.**  RCW 5.50.901 and 2011 c 22 s 7 are each amended to read as follows:

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

NEW SECTION. **Sec.**  RCW 9A.72.085 (Unsworn statements, certification—Standards for subscribing to an unsworn statement) and 2014 c 93 s 4 & 1981 c 187 s 3 are each repealed.

**--- END ---**