
SENATE BILL 6039

State of Washington 65th Legislature 2018 Regular Session

By Senators Fain and Pedersen; by request of Uniform Law Commission
Prefiled 12/20/17.

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

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

5 **Sec. 1.** RCW 5.50.010 and 2011 c 22 s 2 are each amended to read
6 as follows:

7 In this chapter:

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

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

16 ~~((3))~~ (2) "Record" means information that is inscribed on a
17 tangible medium or that is stored in an electronic or other medium
18 and is retrievable in perceivable form.

19 ~~((4))~~ (3) "Sign" means, with present intent to authenticate or
20 adopt a record:

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

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

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

7 ~~(6))~~ (4) "Sworn declaration" means a declaration in a signed
8 record given under oath. The term includes a sworn statement,
9 verification, certificate, and affidavit.

10 ~~((7))~~ (5) "Unsworn declaration" means a declaration in a signed
11 record ~~((that is))~~ not given under oath~~((7))~~ but ~~((is))~~ given under
12 penalty of perjury.

13 **Sec. 2.** RCW 5.50.020 and 2011 c 22 s 3 are each amended to read
14 as follows:

15 This chapter applies to an unsworn declaration by a declarant who
16 at the time of making the declaration is physically located within or
17 outside the boundaries of the United States, whether or not the
18 location is subject to the jurisdiction of the United States. ~~((This
19 chapter does not apply to a declaration by a declarant who is
20 physically located on property that is within the boundaries of the
21 United States and subject to the jurisdiction of another country or a
22 federally recognized Indian tribe.))~~

23 **Sec. 3.** RCW 5.50.050 and 2011 c 22 s 6 are each amended to read
24 as follows:

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

27 I declare under penalty of perjury under the law of Washington
28 that the foregoing is true and correct~~((, and that I am physically
29 located outside the geographic boundaries of the United States,
30 Puerto Rico, the United States Virgin Islands, and any territory or
31 insular possession subject to the jurisdiction of the United
32 States))~~.

33 ~~((Executed))~~ Signed on the day of,,
34 (date) (month) (year)
35 at~~((,))~~
36 (city or other location, and state or country) ~~((country))~~

1
2 (printed name)
3
4 (signature)

5 **Sec. 4.** RCW 5.50.900 and 2011 c 22 s 1 are each amended to read
6 as follows:

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

9 **Sec. 5.** RCW 5.50.901 and 2011 c 22 s 7 are each amended to read
10 as follows:

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

14 NEW SECTION. **Sec. 6.** RCW 9A.72.085 (Unsworn statements,
15 certification—Standards for subscribing to an unsworn statement) and
16 2014 c 93 s 4 & 1981 c 187 s 3 are each repealed.

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