

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3318**

March 4, 2010

Authored by Hortman, Champion, Smith, Lesch and Kohls

The bill was read for the first time and referred to the Committee on Civil Justice

March 18, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act
1.2 relating to judiciary; enacting the Uniform Unsworn Foreign Declarations Act
1.3 proposed for adoption by the National Conference of Commissioners on Uniform
1.4 State Laws; providing for penalties; amending Minnesota Statutes 2008, section
1.5 609.48, subdivision 1; proposing coding for new law in Minnesota Statutes,
1.6 chapter 358.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **[358.110] UNSWORN FOREIGN DECLARATIONS.**

1.9 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms defined in
1.10 this subdivision have the meanings given them.

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

1.14 (c) "Law" includes the federal or a state constitution, a federal or state statute, a
1.15 judicial decision or order, a rule of court, an executive order, and an administrative rule,
1.16 regulation, or order.

1.17 (d) "Record" means information that is inscribed on a tangible medium or that is
1.18 stored in an electronic or other medium and is retrievable in perceivable form.

1.19 (e) "Sign" means, with present intent to authenticate or adopt a record:

1.20 (1) to execute or adopt a tangible symbol; or

1.21 (2) to attach to or logically associate with the record an electronic symbol, sound,
1.22 or process.

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

3.1 Global and National Commerce Act, United States Code, title 15, section 7001, et seq.,
3.2 but does not modify, limit, or supersede section 101(c) of that act, United States Code,
3.3 title 15, section 7001(c), or authorize electronic delivery of any of the notices described in
3.4 section 103(b) of that act, United States Code, title 15, section 7003(b).

3.5 Subd. 7. **Citation.** This section may be cited as the "Uniform Unsworn Foreign
3.6 Declarations Act."

3.7 Sec. 2. Minnesota Statutes 2008, section 609.48, subdivision 1, is amended to read:

3.8 Subdivision 1. **Acts constituting.** Whoever makes a false material statement not
3.9 believing it to be true in any of the following cases is guilty of perjury and may be
3.10 sentenced as provided in subdivision 4:

3.11 (1) in or for an action, hearing or proceeding of any kind in which the statement is
3.12 required or authorized by law to be made under oath or affirmation; or

3.13 (2) in any writing which is required or authorized by law to be under oath or
3.14 affirmation; ~~or~~

3.15 (3) in any writing made according to section 358.110; or

3.16 ~~(3)~~ (4) in any other case in which the penalties for perjury are imposed by law and
3.17 no specific sentence is otherwise provided.

3.18 Sec. 3. **EFFECTIVE DATE.**

3.19 Sections 1 and 2 are effective August 1, 2010.