

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

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

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

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

(b) "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.

(c) "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.

(d) "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.

(e) "Sign" means, with present intent to authenticate or adopt a record:
(1) to execute or adopt a tangible symbol; or
(2) to attach to or logically associate with the record an electronic symbol, sound,
or process.

(f) "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.

Subd. 6. **Relation to electronic signatures in Global and National Commerce Act.** This section modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, United States Code, title 15, section 7001, et seq., but does not modify, limit, or supersede section 101(c) of that act, United States Code, title 15, section 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, United States Code, title 15, section 7003(b).

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

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

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

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

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

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

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

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective August 1, 2010.