

1 **SENATE FLOOR VERSION**

2 February 24, 2021

3 SENATE BILL NO. 578

By: Floyd of the Senate

4 and

5 Munson of the House

6
7
8 An Act relating to civil procedure; amending 12 O.S.
9 2011, Section 426, as amended by Section 1, Chapter
10 10, O.S.L. 2020 (12 O.S. Supp. 2020, Section 426),
11 which relates to statement under penalty of perjury;
12 clarifying requirements for certain statement; and
13 providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 12 O.S. 2011, Section 426, as
16 amended by Section 1, Chapter 10, O.S.L. 2020 (12 O.S. Supp. 2020,
17 Section 426), is amended to read as follows:

18 Section 426. A. Except as provided by subsection B of this
19 section, whenever ~~under any law of Oklahoma~~ this state or under any
20 rule, order, or requirement made pursuant to the law of ~~Oklahoma~~
21 this state, any matter is required or permitted to be supported,
22 evidenced, established, or proved by the sworn statement,
23 declaration, verification, certificate, oath, or affidavit, in
24 writing of the person making the same, the matter may with like
force and effect be supported, evidenced, established, or proved by

1 the unsworn statement in writing of the person made and signed under
2 penalty of perjury setting forth the date and place of execution and
3 that it is made under the laws of ~~Oklahoma~~ this state. The
4 statement ~~under penalty of perjury~~ may be substantially in the
5 following form:

6 "I state under penalty of perjury under the laws of Oklahoma
7 that the foregoing is true and correct.

8 _____
9 (Date and Place) (Signature)"

10 The signed statement ~~under penalty of perjury~~ shall constitute a
11 legally binding assertion that the contents of the statement to
12 which it refers are true. This section shall not affect any
13 requirement for acknowledgment of an instrument affecting real
14 property.

15 B. The provisions of subsection A of this section shall not
16 apply to:

- 17 1. A deposition;
18 2. Any oath of office;
19 3. An oath required to be taken before a specified official
20 other than a notary public; or

21 4. Any notarial act, oath or affidavit required by Title 26 of
22 the Oklahoma Statutes.

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SECTION 2. This act shall become effective November 1, 2021.

COMMITTEE REPORT BY: COMMITTEE ON RULES
February 24, 2021 - DO PASS

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