

1 ENGROSSED SENATE
2 BILL NO. 578

By: Floyd of the Senate

3 and

4 Munson of the House

5
6 An Act relating to civil procedure; amending 12 O.S.
7 2011, Section 426, as amended by Section 1, Chapter
8 10, O.S.L. 2020 (12 O.S. Supp. 2020, Section 426),
9 which relates to statement under penalty of perjury;
10 clarifying requirements for certain statement; and
11 providing an effective date.

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

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

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

1 that it is made under the laws of ~~Oklahoma~~ this state. The
2 statement ~~under penalty of perjury~~ may be substantially in the
3 following form:

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

6 _____
7 (Date and Place)

(Signature)"

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

13 B. The provisions of subsection A of this section shall not
14 apply to:

- 15 1. A deposition;
- 16 2. Any oath of office;
- 17 3. An oath required to be taken before a specified official
18 other than a notary public; or
- 19 4. Any notarial act, oath or affidavit required by Title 26 of
20 the Oklahoma Statutes.

21 SECTION 2. This act shall become effective November 1, 2021.
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1 Passed the Senate the 8th day of March, 2021.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2021.

7
8 _____
9 Presiding Officer of the House
10 of Representatives