



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5175/1
MLJ:ahc

2019 ASSEMBLY BILL 720

January 8, 2020 - Introduced by Representatives TUSLER, HEBL, ANDERSON, KNODL and STUBBS, cosponsored by Senators WANGGAARD, RISSER and OLSEN. Referred to Committee on Federalism and Interstate Relations.

1 **AN ACT to repeal** 887.015 (2) (e); and **to amend** 887.015 (title), 887.015 (1),
2 887.015 (2) (b), 887.015 (2) (f), 887.015 (3) and 887.015 (6) of the statutes;
3 **relating to:** the Uniform Unsworn Declarations Act.

Analysis by the Legislative Reference Bureau

This bill modifies the Uniform Unsworn Foreign Declarations Act that Wisconsin has adopted to adopt the Uniform Unsworn Declarations Act in its place. Under current law, if a person who is outside of the jurisdiction of the United States makes a written but unsworn declaration that meets the statutory criteria, it may be used in place of a sworn declaration under some circumstances. This bill modifies current law by removing the requirement that a person be outside of the jurisdiction of the United States to make such a declaration, and in so doing adopts a uniform act known as the Uniform Unsworn Declarations Act.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 887.015 (title) of the statutes is amended to read:
5 **887.015 (title) Uniform unsworn foreign declarations act.**
6 **SECTION 2.** 887.015 (1) of the statutes is amended to read:

ASSEMBLY BILL 720**SECTION 2**

1 887.015 (1) **SHORT TITLE.** This section may be cited as the Uniform Unsworn
2 Foreign Declarations Act.

3 **SECTION 3.** 887.015 (2) (b) of the statutes is amended to read:

4 887.015 (2) (b) “Law” includes ~~the federal or a state constitution, a federal or~~
5 ~~state a~~ statute, a judicial decision or order, a rule of court, an executive order, or an
6 administrative rule, regulation, or order.

7 **SECTION 4.** 887.015 (2) (e) of the statutes is repealed.

8 **SECTION 5.** 887.015 (2) (f) of the statutes is amended to read:

9 887.015 (2) (f) “Sworn declaration” means a declaration in a signed record given
10 under oath ~~or affirmation~~. Sworn declaration includes a sworn ~~or affirmed~~
11 statement, verification, certificate, or affidavit.

12 **SECTION 6.** 887.015 (3) of the statutes is amended to read:

13 887.015 (3) **APPLICABILITY.** This section applies to an unsworn declaration by
14 a declarant who at the time of making the declaration is physically located within
15 or outside the boundaries of the United States, whether or not the location is subject
16 to the jurisdiction of the United States. ~~This section does not apply to a declaration~~
17 ~~by a declarant who is physically located on property that is within the boundaries of~~
18 ~~the United States and subject to the jurisdiction of another country or a federally~~
19 ~~recognized American Indian tribe.~~

20 **SECTION 7.** 887.015 (6) of the statutes is amended to read:

21 887.015 (6) **FORM OF UNSWORN DECLARATION.** An unsworn declaration under this
22 section must be in substantially the following form:

23 I declare under penalty of false swearing under the law of Wisconsin that the
24 foregoing is true and correct, ~~and that I am physically located outside the geographic~~

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1 ~~boundaries of the United States, Puerto Rico, the United States Virgin Islands, and~~
2 ~~any territory or insular possession subject to the jurisdiction of the United States.~~

3 Executed on the day of(month),(year), at(city or other location, and
4 state),(country).

5(printed name)

6(signature)

7 (END)