



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-1379/1
KRP:amn

2023 SENATE BILL 29

February 3, 2023 – Introduced by Senators WANGGAARD, BALLWEG and WIMBERGER, cosponsored by Representatives TUSLER, RETTINGER, MURSAU, BEHNKE and CABRERA. Referred to Committee on Judiciary and Public Safety.

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 declarant who is outside of the jurisdiction of the United States makes a declaration in a signed record that is not given under oath (unsworn declaration) and that meets the statutory criteria, the unsworn declaration may be used in place of a sworn declaration under certain circumstances. The bill modifies current law by removing the requirement that a declarant be outside of the jurisdiction of the United States to make an unsworn declaration, and in so doing adopts the 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:

SENATE BILL 29**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7 **SECTION 4.** 887.015 (2) (e) of the statutes is repealed.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.~~ “Sworn declaration” includes a sworn
11 ~~or affirmed~~ 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~~ shall 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~~ Signed on the ... day of ..., ... (year), at ... (city or other location, and
4 state), ..., (or country).

5 ... (printed name)

6 ... (signature)

7 (END)