LEGISLATURE OF THE STATE OF IDAHO

Sixty-second Legislature First Regular Session - 2013

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 30

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE ADMINISTRATION OF OATHS AND AFFIRMATIONS; AMENDING CHAPTER 14, TITLE 9, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 9-1406, IDAHO CODE, TO PROVIDE FOR A CERTIFICATION OR DECLARATION UNDER PENALTY OF PERJURY; AND AMENDING SECTION 18-5402, IDAHO CODE, TO FURTHER DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 14, Title 9, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 9-1406, Idaho Code, and to read as follows:

9-1406. CERTIFICATION OR DECLARATION UNDER PENALTY OF PERJURY. Whenever, under any law of this state or under any rule, regulation, order or requirement made pursuant to a law of this state, any matter is required or permitted to be supported, evidenced, established or proved by the sworn statement, declaration, verification, certificate, oath, affirmation or affidavit, in writing, of the person making the same, other than a deposition, an oath of office or an oath required to be taken before a specified official other than a notary public, such matter may with like force and effect be supported, evidenced, established or proven by the unsworn certification or declaration, in writing, which is subscribed by such person and is in substantially the following form:

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct."

....

(Date) (Signature)

SECTION 2. That Section 18-5402, Idaho Code, be, and the same is hereby amended to read as follows:

18-5402. OATH DEFINED. The term "oath" as used in ~~the last~~ section 18-5401, Idaho Code, includes an affirmation, and every other mode authorized by law of attesting the truth of that which is stated, including a certification or declaration under penalty of perjury permitted by the law of this state, whether subscribed within or without this state.