

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961
Chapter 21A
UNIFORM UNSWORN FOREIGN DECLARATIONS ACT

600.2181 Short title.

Sec. 2181.

This chapter may be referred to and cited as the "uniform unsworn foreign declarations act".

History: Add. 2012, Act 361, Eff. Apr. 1, 2013

600.2182 Definitions.

Sec. 2182.

As used in this chapter:

(a) "Boundaries of the United States" means the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

(b) "Law" includes the federal or a state constitution, a federal or state statute, a judicial decision or order, a court rule, an executive order, and an administrative rule, regulation, or order.

(c) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(d) "Sign" means to do either of the following with present intent to authenticate or adopt a record:

(i) Execute or adopt a tangible symbol.

(ii) Attach to or logically associate with the record an electronic symbol, sound, or process.

(e) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(f) "Sworn declaration" means a declaration in a signed record given under oath. Sworn declaration includes a sworn statement, verification, certificate, and affidavit.

(g) "Unsworn declaration" means a declaration or other affirmation of truth in a signed record that is not given under oath, but is given under penalty of perjury.

History: Add. 2012, Act 361, Eff. Apr. 1, 2013

600.2183 Applicability.

Sec. 2183.

This chapter applies to an unsworn declaration by a declarant who at the time of making the declaration is physically located outside the boundaries of the United States whether or not the location is subject to the jurisdiction of the United States. This chapter does not apply to a declaration by a declarant who is physically located on property that is within the boundaries of the United States and subject to the jurisdiction of another country or a federally recognized Indian tribe.

History: Add. 2012, Act 361, Eff. Apr. 1, 2013

600.2184 Unsworn declaration; effect same as sworn declaration.

Sec. 2184.

(1) Except as otherwise provided in subsection (2), if a law of this state requires or permits use of a sworn declaration, an unsworn declaration meeting the requirements of this chapter has the same effect as a sworn declaration.

(2) This chapter does not apply to any of the following:

- (a) A deposition.
- (b) An oath of office.
- (c) An oath required to be given before a specified official other than a notary public.
- (d) A declaration to be recorded with a register of deeds.
- (e) An oath required by section 2504 of the estates and protected individuals code, 1998 PA 386, MCL 700.2504.
- (f) A declaration in a document filed with the court in the course of administering the estate of a decedent.

History: Add. 2012, Act 361, Eff. Apr. 1, 2013

600.2185 Presentation of unsworn declaration; medium.

Sec. 2185.

If a law of this state requires that a sworn declaration be presented in a particular medium, an unsworn declaration must be presented in that medium.

History: Add. 2012, Act 361, Eff. Apr. 1, 2013

600.2186 Unsworn declaration; form.

Sec. 2186.

An unsworn declaration under this chapter must be in substantially the following form:

I declare under penalty of perjury under the laws of the state of Michigan that the foregoing is true and correct, and that I am physically located outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

Executed on the _____ day of _____, _____, at _____ (date) _____ (month) (year)

_____, _____ (city or other location, and state) _____ (country)

(printed name)

(signature)

History: Add. 2012, Act 361, Eff. Apr. 1, 2013

600.2187 Uniformity of law.

Sec. 2187.

In applying and construing this chapter, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among the states that enact the uniform unsworn foreign declarations act.

History: Add. 2012, Act 361, Eff. Apr. 1, 2013

600.2188 Effect of federal law.

Sec. 2188.

This act modifies, limits, and supersedes the federal electronic signatures in global and national commerce act, 15 USC 7001 to 7031, except that it does not modify, limit, or supersede section 101(c) of the electronic signatures in global and national commerce act, 15 USC 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of the electronic signatures in global and national commerce act, 15 USC 7003(b).

History: Add. 2012, Act 361, Eff. Apr. 1, 2013

600.2190 Effective date of chapter.

Sec. 2190.

This chapter takes effect April 1, 2013.

History: Add. 2012, Act 361, Eff. Apr. 1, 2013