

By: Eiland

H.B. No. 3674

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the use of unsworn declarations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 132.001, Civil Practice and Remedies
5 Code is amended

6 to read as follows:

7 Sec. 132.001. UNSWORN DECLARATION

8 (a) Except as provided by subsection (b), an unsworn
9 declaration may be used in lieu of a written sworn declaration,
10 verification, certification, oath, or affidavit required by
11 statute or required by a rule, order, or requirement adopted as
12 provided by law.

13 (b) This chapter does not apply to an oath of office or an
14 oath required to be taken before a specified official other
15 than a notary public.

16 (c) An unsworn declaration made under this chapter must be
17 in writing and subscribed by the person making the
18 declaration as true under penalty of perjury.

19 (d)(1) Except as provided by subsection (d)(2), an unsworn
20 declaration made under this chapter must include a jurat in
21 substantially the following form:

22 "My name is (First:) _____ (Middle:) _____
23 (Last:) _____, my date of birth is _____, and my
24 address is (Street:) _____, (City:) _____,

(State:) _____, (Zip Code:) _____, and (Country:) _____.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of (Month:) _____, (Year:) _____.

Declarant"

(d)(2) An unsworn declaration made under this chapter by an inmate must include a jurat in substantially the following form:

"My name is (First:) _____ (Middle:) _____ (Last:) _____, my date of birth is _____, and my inmate identifying number, if any, is _____. I am presently incarcerated in (Corrections unit name:) _____ in (City:) _____ (County:) _____ (State:) _____ (Zip code:) _____. I declare under penalty of perjury that the foregoing is true and correct.

Executed on the _____ day of (Month:) _____, (Year:) _____.

Declarant"

SECTION 2. Civil Practice and Remedies Code sections 132.002 and 132.003 are repealed.

Section 3. This Act takes effect September 1, 2011.