

**ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013**  
**COMMITTEE STATEMENT**  
**LB106**

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**Hearing Date:** Thursday January 31, 2013  
**Committee On:** Judiciary  
**Introducer:** Lathrop  
**One Liner:** Adopt the Uniform Unsworn Foreign Declarations Act and change provisions relating to perjury

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Ashford, Chambers, Christensen, Coash, Davis, Lathrop, McGill, Seiler

**Nay:**

**Absent:**

**Present Not Voting:**

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**Proponents:**

SEN. STEVE LATHROP  
JILL ACKERMAN  
JERRY SOUCIE  
MATT SCHAEFER

**Representing:**

INTRODUCER  
NEBRASKA UNIFORM LAW COMMISSION  
SELF  
NE STATE BAR, NE LAND TITLE ASSOCIATION

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 106 would 28-915(Perjury; subornation of perjury; penalty.) and 29-915.01(False statement under oath or affirmation; penalty; applicability of section) of the Nebraska Revised Statutes to implement the Uniform Unsworn Foreign Declarations Act (UUFDA) as proposed by the Uniform Law Commission.

The Uniform Unsworn Foreign Declarations Act would approve the use in Nebraska legal proceedings unsworn declarations made by a declarant who is physically outside the boundaries of the United States when the declaration is made. If the unsworn declaration is made subject to the penalties of perjury under section 1, of this act and is in the form outlined in section 8, which requires a declaration that the information being provided is "true and correct" with an acknowledgment that the penalty of perjury attaches and is signed, dated, and contains a country and city of location, then the statements contained within are valid in legal proceedings in Nebraska.

The Uniform Unsworn Foreign Declarations Act would not apply to the following legal proceedings:  
depositions;  
an oath of office;  
an oath required to be given before a specified official other than a notary public;  
a declaration to be recorded pursuant to a filling of a lien on real estate; or  
an oath required by section 30-2329 (Self-proved will.)

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**Explanation of amendments:**

AM95 makes the following changes to LB 106:

On page 6, under subsection (4), strike line 18 and insert "a conveyance of or a lien on any interest in real estate; Create new subsection (5) to provide, "a power of attorney; or" and in line 19 strike (5) and insert "(6)".

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Brad Ashford, Chairperson