

See Judiciary 2/15 De pas 2/23 (p. 575)

FILED FEB 6 1984

SENATE FILE 2137

BY COMMITTEE ON JUDICIARY

(FORMERLY SSB 2049)

Approved 2/6 (p. 228)

Passed Senate, Date 2-9-84 (p. 379) Passed House, Date 3-26-84 (p. 1295)

Vote: Ayes 40 Nays 0 Vote: Ayes 94 Nays 0

Approved April 10, 1984 (p. 1464)

### A BILL FOR

1 An Act relating to the certification of documents and providing  
2 a penalty.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S. 2137

1 Section 1. NEW SECTION. 622.107 CERTIFICATION UNDER  
2 PENALTY OF PERJURY.

3 1. When the laws of this state or any lawful requirement  
4 made under them requires or permits a matter to be supported  
5 by a sworn statement written by the person attesting the  
6 matter, the person may attest the matter by an unsworn written  
7 statement if that statement recites that the person certifies  
8 the matter to be true under penalty of perjury under the laws  
9 of this state, states the date of the statement's execution  
10 and is subscribed by that person. This section does not apply  
11 to acknowledgments where execution is required by law, to  
12 a document which is to be recorded under chapter 558 or to  
13 a self-proved will under section 633.279, subsection 2.

14 2. The certification described in subsection 1 may be  
15 in substantially the following form:

16 "I certify under penalty of perjury and pursuant to the  
17 laws of the state of Iowa that the preceding is true and  
18 correct.

19 \_\_\_\_\_  
20 Date Signature"

21 Sec. 2. Section 714.8, subsection 3, Code 1983, is amended  
22 to read as follows:

23 3. Knowingly executes or tenders any a certification under  
24 penalty of perjury, false affidavit, or certificate, which  
25 is required by law, or which is given in support of any a  
26 claim for compensation, indemnification, restitution, or other  
27 payment.

28 EXPLANATION

29 This bill allows an affidavit, verification or similar  
30 document to be certified by a person as true under penalty  
31 of perjury instead of being sworn to before a public official.  
32 This bill does not apply to acknowledgments where execution  
33 is required by law, affidavits are to be recorded under chapter  
34 558 and or to self-proved wills. The bill also amends a  
35 definition of fraudulent practice to extend its application

1 to false certifications under penalty of perjury.  
2 The bill takes effect July 1 following enactment.

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SENATE FILE 2137

AN ACT  
RELATING TO THE CERTIFICATION OF DOCUMENTS AND PROVIDING A  
PENALTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 622.107 CERTIFICATION UNDER  
PENALTY OF PERJURY.

1. When the laws of this state or any lawful requirement made under them requires or permits a matter to be supported by a sworn statement written by the person attesting the matter, the person may attest the matter by an unsworn written statement if that statement recites that the person certifies the matter to be true under penalty of perjury under the laws of this state, states the date of the statement's execution and is subscribed by that person. This section does not apply to acknowledgments where execution is required by law, to a document which is to be recorded under chapter 558 or to a self-proved will under section 633.279, subsection 2.

2. The certification described in subsection 1 may be in substantially the following form:

"I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and correct.

\_\_\_\_\_  
Date Signature"

Sec. 2. Section 714.8, subsection 3, Code 1983, is amended to read as follows:

3. Knowingly executes or tenders any a certification under penalty of perjury, false affidavit, or certificate, which

is required by law, or which is given in support of any a claim for compensation, indemnification, restitution, or other payment.

\_\_\_\_\_  
ROBERT T. ANDERSON  
President of the Senate

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2137, Seventieth General Assembly.

\_\_\_\_\_  
K. MARIE THAYER  
Secretary of the Senate

Approved April 10, 1984

\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor

S.F. 2137