

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 1
Yeas:	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Barker
Nays:	0
Exc.:	Williamson
Prepared By:	Anna Braun, Counsel
Meeting Dates:	4/10

WHAT THE MEASURE DOES: Adopts the Unsworn Foreign Declarations Act. Provides consistency with current Oregon Rules of Civil Procedure (ORCP) allowing declarations.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: Makes act consistent with ORCP 1 E (which allows a declaration instead of a sworn affidavit) at all references to ORCP 1 E throughout the Oregon Revised Statutes.

BACKGROUND: People who are overseas and need the services of a notary have traditionally used services from a U.S. Consulate or embassy. Since 9/11 access to embassies and consulates has been curtailed making it difficult to obtain a sworn statement. Currently, under 28 U.S.C. § 1746, unsworn foreign declarations are recognized in federal courts as valid and receive the same recognition as a sworn statement if the unsworn statement contains an affirmation as set forth in federal statute. This act provides for the same requirements to be recognized in Oregon state courts. This uniform act has been adopted in 17 states. House Bill 2833 A is proposed by the Oregon Law Commission.