

which the visited district is located shall have consented and approved thereto prior to such visit.

Passed the Senate February 11, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

## CHAPTER 187

[Senate Bill No. 3079]

### OFFICIAL PROCEEDINGS VERIFICATION—UNSWORN CERTIFIED WRITTEN STATEMENTS

AN ACT Relating to crimes and criminal procedure; amending section 9A.72.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.010; amending section 9A.04.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.04.030; adding a new section to chapter 9A.72 RCW; adding a new section to chapter 10.25 RCW; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 9A.72.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.010 are each amended to read as follows:

The following definitions are applicable in this chapter unless the context otherwise requires:

(1) "Materially false statement" means any false statement oral or written, regardless of its admissibility under the rules of evidence, which could have affected the course or outcome of the proceeding; whether a false statement is material shall be determined by the court as a matter of law;

(2) "Oath" includes an affirmation and every other mode authorized by law of attesting to the truth of that which is stated; in this chapter, written statements shall be treated as if made under oath if:

(a) The statement was made on or pursuant to instructions on an official form bearing notice, authorized by law, to the effect that false statements made therein are punishable; ((or))

(b) The statement recites that it was made under oath, the declarant was aware of such recitation at the time he made the statement, intended that the statement should be represented as a sworn statement, and the statement was in fact so represented by its delivery or utterance with the signed jurat of an officer authorized to administer oaths appended thereto;

or

(c) It is a statement, declaration, verification, or certificate, made within or outside the state of Washington, which is certified or declared to be true under penalty of perjury as provided in section 3 of this 1981 act.

(3) An oath is "required or authorized by law" when the use of the oath is specifically provided for by statute or regulatory provision;

(4) "Official proceeding" means a proceeding heard before any legislative, judicial, administrative, or other government agency or official authorized to hear evidence under oath, including any referee, hearing examiner, commissioner, notary, or other person taking testimony or depositions;

(5) "Juror" means any person who is a member of any jury, including a grand jury, impaneled by any court of this state or by any public servant authorized by law to impanel a jury; the term juror also includes any person who has been drawn or summoned to attend as a prospective juror;

(6) "Testimony" includes oral or written statements, documents, or any other material that may be offered by a witness in an official proceeding.

Sec. 2. Section 9A.04.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.04.030 are each amended to read as follows:

The following persons are liable to punishment:

(1) A person who commits in the state any crime, in whole or in part.

(2) A person who commits out of the state any act which, if committed within it, would be theft and is afterward found in the state with any of the stolen property.

(3) A person who being out of the state, counsels, causes, procures, aids, or abets another to commit a crime in this state.

(4) A person who, being out of the state, abducts or kidnaps by force or fraud, any person, contrary to the laws of the place where the act is committed, and brings, sends, or conveys such person into this state.

(5) A person who commits an act without the state which affects persons or property within the state, which, if committed within the state, would be a crime.

(6) A person who, being out of the state, makes a statement, declaration, verification, or certificate under section 3 of this 1981 act which, if made within the state, would be perjury.

NEW SECTION. Sec. 3. There is added to chapter 9A.72 RCW a new section to read as follows:

Whenever, under any law of this state or under any rule, order, or requirement made under the law of this state, any matter in an official proceeding is required or permitted to be supported, evidenced, established, or proved by a person's sworn written statement, declaration, verification, certificate, oath, or affidavit, the matter may with like force and effect be supported, evidenced, established, or proved in the official proceeding by an unsworn written statement, declaration, verification, or certificate, which:

(1) Recites that it is certified or declared by the person to be true under penalty of perjury;

(2) Is subscribed by the person;

(3) States the date and place of its execution; and

(4) States that it is so certified or declared under the laws of the state of Washington.

The certification or declaration may be in substantially the following form:

"I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct":

.....  
(Date and Place) (Signature)

This section does not apply to writings requiring an acknowledgement, depositions, oaths of office, or oaths required to be taken before a special official other than a notary public.

NEW SECTION. Sec. 4. There is added to chapter 10.25 RCW a new section to read as follows:

Perjury committed outside of the state of Washington in a statement, declaration, verification, or certificate authorized by section 3 of this 1981 act is punishable in the county in this state in which occurs the act, transaction, matter, action, or proceeding, in relation to which the statement, declaration, verification, or certification was given or made.

Passed the Senate February 11, 1981.  
Passed the House April 16, 1981.  
Approved by the Governor May 14, 1981.  
Filed in Office of Secretary of State May 14, 1981.

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CHAPTER 188  
[Senate Bill No. 3102]  
HABITUAL TRAFFIC OFFENDERS

AN ACT Relating to motor vehicles; amending section 4, chapter 284, Laws of 1971 ex. sess. as last amended by section 94, chapter 136, Laws of 1979 ex. sess. and RCW 46.65.020; and amending section 8, chapter 284, Laws of 1971 ex. sess. as last amended by section 3, chapter 62, Laws of 1979 and RCW 46.65.060.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 4, chapter 284, Laws of 1971 ex. sess. as last amended by section 94, chapter 136, Laws of 1979 ex. sess. and RCW 46.65.020 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context, an habitual offender shall mean any person, resident or nonresident, who has accumulated convictions or findings that the person committed a traffic infraction as defined in RCW 46.20.270 as now or hereafter amended, or, if a minor, shall have violations recorded with the department of licensing, for separate and distinct offenses as described in either subsection (1) or (2) below committed within a five-year period, as evidenced by the records maintained in the department of licensing: PROVIDED, That where more than one described offense shall be committed within a six-hour period such multiple offenses shall, on the first such occasion, be treated as one offense for the purposes of this chapter: