

1-201. OATHS.

(A) IN GENERAL.

A REQUIREMENT IN THIS ARTICLE THAT A DOCUMENT BE UNDER OATH MEANS THAT THE DOCUMENT SHALL BE SUPPORTED BY A SIGNED STATEMENT MADE UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE DOCUMENT ARE TRUE TO THE BEST OF THE KNOWLEDGE, INFORMATION, AND BELIEF OF THE INDIVIDUAL MAKING THE STATEMENT.

(B) PROCEDURES.

THE OATH OR AFFIRMATION SHALL BE MADE:

(1) BEFORE AN INDIVIDUAL AUTHORIZED TO ADMINISTER OATHS, WHO SHALL CERTIFY IN WRITING TO HAVE ADMINISTERED THE OATH OR TAKEN THE AFFIRMATION; OR

(2) BY A SIGNED STATEMENT THAT:

(I) IS IN THE DOCUMENT OR ATTACHED TO AND MADE PART OF THE DOCUMENT; AND

(II) IS MADE EXPRESSLY UNDER THE PENALTIES FOR PERJURY.

(C) EFFECT OF STATEMENT.

IF THE PROCEDURES PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION ARE USED, THE AFFIDAVIT SUBJECTS THE INDIVIDUAL MAKING IT TO THE PENALTIES FOR PERJURY TO THE SAME EXTENT AS AN OATH OR AFFIRMATION MADE BEFORE AN INDIVIDUAL AUTHORIZED TO ADMINISTER OATHS.

REVISOR'S NOTE: This section formerly appeared as Art. 56A, § 1-201.

The word "article" is retained although it is broader in the context of this section than in former Art. 56A, § 1-201. This section applies to provisions to which former Art. 56A, § 1-201 did not apply. However, this section is standard language that has been added in other revised articles, to allow a signed statement to have the effect of a verification, without detracting substantively from the purpose and effect of requiring the verification. Therefore, an individual who makes a verification under this article is subject to the penalties for perjury if the verification is false, even if the individual does not appear before an individual authorized to administer oaths.