

SENATE BILL No. 688

September 20, 2011, Introduced by Senator SCHUITMAKER and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 423 (MCL 750.423).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 423. (1) ~~Definition~~ Any person authorized by ~~any~~ **A**
2 statute of this state to take an oath, or any person of whom an
3 oath ~~shall be~~ **IS** required by law, who ~~shall wilfully swear~~
4 **WILLFULLY SWEARS** falsely ~~in~~ regard to any matter or thing ~~in~~
5 respecting which ~~such~~ **THE** oath is authorized or required ~~in~~ **shall be**
6 **IS** guilty of perjury, a felony ~~in~~ punishable by imprisonment ~~in the~~
7 ~~state prison~~ **FOR** not more than 15 years.

8 (2) **SUBSECTION (1) APPLIES TO A PERSON WHO WILLFULLY MAKES A**
9 **FALSE DECLARATION IN A RECORD THAT IS SIGNED BY THE PERSON AND**
10 **GIVEN UNDER PENALTY OF PERJURY. AS USED IN THIS SUBSECTION:**

11 (A) **"RECORD" MEANS INFORMATION THAT IS INSCRIBED ON A TANGIBLE**

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1 MEDIUM OR THAT IS STORED IN AN ELECTRONIC OR OTHER MEDIUM AND IS
2 RETRIEVABLE IN PERCEIVABLE FORM.

3 (B) "SIGNED" MEANS THE PERSON DID EITHER OF THE FOLLOWING TO
4 AUTHENTICATE OR ADOPT THE RECORD:

5 (i) EXECUTED OR ADOPTED A TANGIBLE SYMBOL.

6 (ii) ATTACHED TO OR LOGICALLY ASSOCIATED WITH THE RECORD AN
7 ELECTRONIC SYMBOL, SOUND, OR PROCESS.

8 Enacting section 1. This amendatory act takes effect July 1,
9 2012.

10 Enacting section 2. This amendatory act does not take effect
11 unless Senate Bill No. 689

12 of the 96th Legislature is enacted into law.