

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6332**

**BILL NUMBER:** HB 1350

**NOTE PREPARED:** Dec 16, 2009

**BILL AMENDED:**

**SUBJECT:** Uniform Acts Concerning Civil Procedure.

**FIRST AUTHOR:** Rep. Foley

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** No Fiscal Impact

**Summary of Legislation:** This bill has the following provisions:

- A. It enacts the Uniform Interstate Depositions and Discovery Act. It allows litigants to present a clerk of the court located in the state where discoverable materials are sought with a subpoena issued by a court in the trial state. It provides that once the clerk receives the foreign subpoena, the clerk shall issue a subpoena for service upon the person or entity on which the original subpoena is directed. It specifies that the terms of the issued subpoena must incorporate the same terms as the original subpoena and contain the contact information for all counsel of record and any party not represented by counsel.
- B. It enacts the Uniform Unsworn Foreign Declarations Act. It affirms the use in state law proceedings of unsworn declarations made by declarants who are physically outside the boundaries of the United States when making the declaration. It provides that if an unsworn declaration is made subject to penalties for perjury and contains the information in the model form provided in the act, the statement may be used as an equivalent of a sworn declaration. It excludes use of unsworn declarations for depositions, oaths of office, oaths related to self-proved wills, declarations recorded under certain real estate statutes, and oaths required to be given before specified officials other than a notary.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Trial Courts; Clerks of the Circuit Court.

**Information Sources:** National Conference of Commissioners of Uniform State Laws.

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.