

Addendum to Initial Statement of Reasons

In section E of the Cemetery and Funeral Bureau’s proposed form 23-UCA (New 7/21), Unitrust Conversion Application, incorporated by reference at proposed section 2334(a), it states:

I hereby certify, under penalty of perjury, under the laws of the State of California, that all statements, answers, and representations on this form, and all attachments, are true, complete, and accurate, and that I am authorized to complete this form on behalf of the cemetery authority.

Upon request, the Bureau hereby submits additional justification for its necessity of the applicant’s certification of the contents of the “Unitrust Conversion Application,” form 23-UCA (New 7/21) (form) under penalty of perjury in Section E thereof.

Certification under penalty of perjury helps to ensure that the documentation contains truthful, factual representations made in good faith. (See e.g., *In re Marriage of Reese & Guy* (1999) 73 Cal.App.4th 1214, 1223 [judicial explanation for the use of certifications under penalty of perjury: “The whole point of permitting a declaration under penalty of perjury, in lieu of a sworn statement, is to help ensure that declarations contain a truthful factual representation and are made in good faith.”].) Accordingly, the certification under penalty of perjury in the form is necessary to ensure that applicants submit truthful and accurate information to the Bureau.

In addition, the certification under penalty of perjury helps ensure the reliability of the statements to the Bureau (since certifying under penalty of perjury can have a deterrent effect on those who may be considering not providing true, accurate or complete information), and provides the Bureau with the option of seeking sanctions and referring the matter to law enforcement in the event that such information is not true, complete or accurate. [“The oath or declaration must be in such form that criminal sanctions of perjury might apply where material facts so declared to be true, are in fact not true or are not known to be true.” *In re Marriage of Reese & Guy* (1999) 73 Cal.App.4th 1214, 1223 [holding modified by *Laborde v. Aronson* (2001) 92 Cal.App.4th 459.]