

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2400

By: Vaughn

COMMITTEE SUBSTITUTE

An Act relating to victim protective orders; establishing Victim Protective Order Task Force; stating purpose of Task Force; establishing membership of Task Force; providing for appointment of chair and vice-chair; stating duties of Task Force; requiring report to be issued from Task Force; providing for travel expense reimbursement for members of Task Force; requiring certain form to be attached to all ex parte and final protective orders; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. There is hereby created to continue until December 1, 2002, the Victim Protective Order Task Force. The purpose of the Task Force shall be to study and prepare recommendations concerning any need for changes in the Protection from Domestic Abuse Act, particularly any need for changes in the procedure for granting victim protective orders.

B. The Task Force shall be composed of the following members:

1. Four district court judges, appointed by the Chief Justice of the Oklahoma Supreme Court;

2. Two members of the House of Representatives, appointed by the Speaker of the House of Representatives;

3. Two members of the Senate, appointed by the President Pro Tempore of the Senate;

4. Four citizens representing citizens groups concerned with problems of domestic abuse, two to be appointed by the Speaker of

the House of Representatives and two to be appointed by the President Pro Tempore of the Senate from a list of recommendations submitted by the Oklahoma Coalition on Domestic Violence and Sexual Assault;

5. Two chiefs of police, one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tempore of the Senate, from a list of recommendations submitted by the Oklahoma Association of Chiefs of Police; and

6. Two sheriffs, one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tempore of the Senate, from a list of recommendations submitted by the Oklahoma Sheriffs Association; and

7. Two district attorneys, one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tempore of the Senate, from a list of recommendations submitted by the District Attorneys Council.

C. The chair of the Task Force shall be appointed by the Speaker of the House of Representatives from the House members of the Task Force and the vice-chair shall be appointed by the President Pro Tempore of the Senate from the Senate members of the Task Force.

D. Meetings of the Task Force shall be called by the chair. A majority of the members shall constitute a quorum.

E. The Task Force shall:

1. Review the procedures currently in place for disposition of protective orders and inquire into problems with the current system;

2. Determine whether or not amendments are needed to the Protection from Domestic Abuse Act; and

3. Make recommendations for statutory changes, if the Task Force determines amendments are needed.

F. On or before December 1, 2002, the Task Force shall issue a report outlining its recommendations to the Chief Justice of the

Oklahoma Supreme Court, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate.

G. Members of the Task Force shall not receive compensation for serving on the Task Force, but shall receive travel reimbursement as follows:

1. Legislative members of the Task Force shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes from the legislative body in which they serve; and

2. All other Task Force members shall be reimbursed for travel expenses incurred in the performance of their duties by the appointing authority in accordance with the State Travel Reimbursement Act.

H. Staffing for the Task Force shall be provided jointly by the House of Representatives staff and the Senate staff.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 60.13 of Title 22, unless there is created a duplication in numbering, reads as follows:

In addition to any other provisions required by the Protection from Domestic Abuse Act, or otherwise required by law, each ex parte or final protective order issued within the State of Oklahoma pursuant to the Protection from Domestic Abuse Act shall have the following form:

OKLAHOMA

Name of Court _____ Street Address _____ City, State
_____ Phone No. _____.

Plaintiff Court Case No. CERTIFICATION

OF ORDER OF
PROTECTION
DOB S.S. # Modified

Court No., NCIC

(Address of Court)

(Phone Number and Fax of Court)

SECTION 3. This act shall become effective July 1, 2002.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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