

An Act relating to domestic abuse; amending 10 O.S. 2001, Section 21.1, which relates to order of preference for guardianship or custody of children; stating court shall consider evidence of domestic abuse and violations of protective orders; amending 10 O.S. 2001, Section 1211, which relates to training for judges having juvenile docket; requiring certain training for judges having protective order and domestic abuse docket responsibility; amending 21 O.S. 2001, Section 644, which relates to assault and battery; requiring certain offenses to be filed as felonies; modifying punishment for second and subsequent offenses of domestic abuse; authorizing court to order participation by defendants in treatment programs; specifying when review hearings will be held; authorizing revocation of probation under certain circumstances; modifying definition; specifying punishment for person convicted of domestic abuse three or more times; prohibiting domestic abuse by strangulation; setting penalty; setting minimum sentences for second and subsequent offenses of certain crimes; requiring court to make specific findings why term of imprisonment is not imposed under certain circumstances; providing immunity from liability or prosecution for judges and treatment programs; prohibiting charging victim of domestic abuse with court fees; requiring certain conviction records to be presented to and considered by the court prior to a plea agreement or sentencing; amending 21 O.S. 2001, Section 852.1, which relates to child endangerment; expanding circumstances which may be considered an affirmative defense; amending 21 O.S. 2001, Section 1173, which relates to stalking; modifying punishment; requiring minimum sentences of imprisonment for certain offenses; amending 22 O.S. 2001, Section 40.3, which relates to not discouraging victims from filing charges; prohibiting certain officials from discouraging victim of rape, forcible sodomy and domestic abuse from requesting that charges be pressed; amending 22 O.S. 2001, Sections 60.1, 60.2, 60.3, 60.4, 60.6, 60.9 and 60.11, which relate to the Protection from Domestic Abuse Act; adding definitions; modifying form for Petition for Protective Order; establishing new form for Petition for Protective Order Against Stalking or Harassment; prohibiting collection of costs from victim; stating circumstances which shall constitute a strong preference for granting emergency protective order; modifying and adding provisions that may be included in emergency protective order; authorizing private process server to be hired to obtain service on defendant; requiring court to continue hearing on petition for protective order for specified periods of time; modifying and adding provisions that may be part of final protective order; authorizing court to order treatment; authorizing court to proceed with sentencing for violation of protective order under certain circumstances; specifying what court may order in protective order regarding child support and temporary custody; authorizing issuance of mutual protective orders under certain circumstances; authorizing court to enter orders regarding possession of residence, payment of utility bills, and payment of temporary shelter costs under certain circumstances; allowing plaintiff to be accompanied by victim or court advocate during all proceedings; defining term; modifying penalties for violation of protective order; specifying punishment for third or subsequent offense; requiring peace officer to make determination as to which party is dominant aggressor during domestic abuse incident; adding information to be printed on protective order regarding penalties for violations of law; amending 22 O.S. 2001, Section 196, which relates to arrests without warrants; expanding circumstances authorizing warrantless arrest for domestic abuse; requiring trials of certain offense to be held within ninety days of arrest; amending 22

O.S. 2001, Section 991a (Section 17, Chapter 437, O.S.L. 2001), which relates to sentencing powers of the court; authorizing court to order attendance in treatment program or counseling upon conviction of domestic abuse; amending 22 O.S. 2001, Section 1105, which relates to discharge of defendant upon giving bail; authorizing court to enter order prohibiting certain conduct upon release from custody; amending 43 O.S. 2001, Sections 120.3 and 120.4, which relate to parenting coordinators; limiting authority in cases involving protective orders; amending 43A O.S. 2001, Sections 3-313 and 3-314.1, which relate to domestic violence and sexual assault programs; adding records regarding batterers to confidential records; authorizing certification of treatment programs for batterers; providing for codification; providing an effective date; and declaring an emergency.