

1 ENGROSSED SENATE
2 BILL NO. 1491

By: Marlatt, Ford, Justice,
David, Griffin, Bingman and
Pittman of the Senate

3
4 and

5 Biggs of the House

6
7 An Act relating to domestic violence; providing short
8 title; amending 21 O.S. 2011, Section 644.1, as
9 amended by Section 2, Chapter 71, O.S.L. 2014 (21
10 O.S. Supp. 2015, Section 644.1), which relates to
11 domestic abuse; modifying definition; providing for
12 noncodification; and providing an effective date.

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

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

16 This act shall be known and may be cited as Kristin's Law.

17 SECTION 2. AMENDATORY 21 O.S. 2011, Section 644.1, as
18 amended by Section 2, Chapter 71, O.S.L. 2014 (21 O.S. Supp. 2015,
19 Section 644.1), is amended to read as follows:

20 Section 644.1. A. Any person who commits domestic abuse, as
21 defined by subsection C of Section 644 of this title, and has a
22 prior pattern of physical abuse shall be guilty of a felony, upon
23 conviction, punishable by imprisonment in the custody of the
24 Department of Corrections for a term of not more than ten (10) years

1 or by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by
2 both such fine and imprisonment.

3 B. For purposes of this section, "prior pattern of physical
4 abuse" means ~~three~~ two or more separate incidences, including the
5 current incident, occurring on different days, ~~where all incidences~~
6 ~~occurred within the previous twelve-month period,~~ and each incident
7 relates to an act constituting assault and battery or domestic abuse
8 committed by the defendant against a current or former spouse, a
9 present spouse of a former spouse, parents, a foster parent, a
10 child, a person otherwise related by blood or marriage, a person
11 with whom the defendant is in a dating relationship, an individual
12 with whom the defendant has had a child, a person who formerly lived
13 in the same household as the defendant, a person living in the same
14 household as the defendant, a current intimate partner or former
15 intimate partner, or any combination of such persons, where proof of
16 each incident prior to the present incident is established by the
17 sworn testimony of a third party who was a witness to the alleged
18 physical abuse or by other admissible direct evidence that is
19 independent of the testimony of the victim.

20 SECTION 3. This act shall become effective November 1, 2016.

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