

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1351

By: Rousselot

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2011, Section 644.1, as amended by Section 2,  
9 Chapter 71, O.S.L. 2014 (21 O.S. Supp. 2014, Section  
10 644.1), which relates to domestic abuse; modifying  
11 certain evidentiary requirement; and providing an  
effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2011, Section 644.1, as  
14 amended by Section 2, Chapter 71, O.S.L. 2014 (21 O.S. Supp. 2014,  
15 Section 644.1), is amended to read as follows:

16 Section 644.1 A. Any person who commits domestic abuse, as  
17 defined by subsection C of Section 644 of this title, and has a  
18 prior pattern of physical abuse shall be guilty of a felony, upon  
19 conviction, punishable by imprisonment in the custody of the  
20 Department of Corrections for a term of not more than ten (10) years  
21 or by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by  
22 both such fine and imprisonment.

23 B. For purposes of this section, "prior pattern of physical  
24 abuse" means three or more separate ~~incidences~~ incidents, including

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

17 SECTION 2. This act shall become effective November 1, 2015.

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19 55-1-5058 GRS 01/07/15  
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