

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 2630

By: Echols

AS INTRODUCED

An Act relating to domestic violence; amending 21 O.S. 2011, Section 644, as amended by Section 1, Chapter 71, O.S.L. 2014 (21 O.S. Supp. 2018, Section 644), which relates to penalties for assault and battery; modifying list of persons specified in certain criminal offenses; providing statutory reference; requiring certain defendants to complete assessment and participate in batterers' intervention program; amending 22 O.S. 2011, Section 60.1, which relates to the Protection from Domestic Abuse Act; alphabetizing list of definitions; modifying scope of certain definitions; adding definition; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 644, as amended by Section 1, Chapter 71, O.S.L. 2014 (21 O.S. Supp. 2018, Section 644), is amended to read as follows:

Section 644. A. Assault shall be punishable by imprisonment in a county jail not exceeding thirty (30) days, or by a fine of not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

1 B. Assault and battery shall be punishable by imprisonment in a
2 county jail not exceeding ninety (90) days, or by a fine of not more
3 than One Thousand Dollars (\$1,000.00), or by both such fine and
4 imprisonment.

5 C. Any person who commits any assault and battery against a
6 current or former ~~spouse, a present spouse of a former spouse, a~~
7 ~~former spouse of a present spouse, parents, a foster parent, a~~
8 ~~child, a person otherwise related by blood or marriage, a person~~
9 ~~with whom the defendant is or was in a dating relationship~~ intimate
10 partner or a family or household member as defined by Section 60.1
11 of Title 22 of the Oklahoma Statutes, ~~an individual with whom the~~
12 ~~defendant has had a child, a person who formerly lived in the same~~
13 ~~household as the defendant, or a person living in the same household~~
14 ~~as the defendant~~ shall be guilty of domestic abuse. Upon
15 conviction, the defendant shall be punished by imprisonment in the
16 county jail for not more than one (1) year, or by a fine not
17 exceeding Five Thousand Dollars (\$5,000.00), or by both such fine
18 and imprisonment. Upon conviction for a second or subsequent
19 offense, the person shall be punished by imprisonment in the custody
20 of the Department of Corrections for not more than four (4) years,
21 or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by
22 both such fine and imprisonment. The provisions of Section 51.1 of
23 this title shall apply to any second or subsequent offense.
24

1 D. 1. Any person who, with intent to do bodily harm and
2 without justifiable or excusable cause, commits any assault,
3 battery, or assault and battery upon ~~a current or former spouse, a~~
4 ~~present spouse of a former spouse, a parent, a foster parent, a~~
5 ~~child, a person otherwise related by blood or marriage, a person~~
6 ~~with whom the defendant is in a dating relationship~~ an intimate
7 partner or a family or household member as defined by Section 60.1
8 of Title 22 of the Oklahoma Statutes, ~~an individual with whom the~~
9 ~~defendant has a child, a person who formerly lived in the same~~
10 ~~household as the defendant, or a person living in the same household~~
11 ~~as the defendant~~ with any sharp or dangerous weapon, upon
12 conviction, is guilty of domestic assault or domestic assault and
13 battery with a dangerous weapon which shall be a felony and
14 punishable by imprisonment in the custody of the Department of
15 Corrections not exceeding ten (10) years, or by imprisonment in a
16 county jail not exceeding one (1) year. The provisions of Section
17 51.1 of this title shall apply to any second or subsequent
18 conviction for a violation of this paragraph.

19 2. Any person who, without such cause, shoots ~~a current or~~
20 ~~former spouse, a present spouse of a former spouse, a parent, a~~
21 ~~foster parent, a child, a person otherwise related by blood or~~
22 ~~marriage, a person with whom the defendant is in a dating~~
23 ~~relationship~~ an intimate partner or a family or household member as
24 defined by Section 60.1 of Title 22 of the Oklahoma Statutes, ~~an~~

1 ~~individual with whom the defendant has a child, a person who~~
2 ~~formerly lived in the same household as the defendant, or a person~~
3 ~~living in the same household as the defendant,~~ by means of any
4 deadly weapon that is likely to produce death shall, upon
5 conviction, be guilty of domestic assault and battery with a deadly
6 weapon which shall be a felony punishable by imprisonment in the
7 custody of the Department of Corrections not exceeding life. The
8 provisions of Section 51.1 of this title shall apply to any second
9 or subsequent conviction for a violation of this paragraph.

10 E. Any person convicted of domestic abuse committed against a
11 pregnant woman with knowledge of the pregnancy shall be guilty of a
12 misdemeanor, punishable by imprisonment in the county jail for not
13 more than one (1) year.

14 Any person convicted of a second or subsequent offense of
15 domestic abuse against a pregnant woman with knowledge of the
16 pregnancy shall be guilty of a felony, punishable by imprisonment in
17 the custody of the Department of Corrections for not less than ten
18 (10) years.

19 Any person convicted of domestic abuse committed against a
20 pregnant woman with knowledge of the pregnancy and a miscarriage
21 occurs or injury to the unborn child occurs shall be guilty of a
22 felony, punishable by imprisonment in the custody of the Department
23 of Corrections for not less than twenty (20) years.

1 F. Any person convicted of domestic abuse as defined in
2 subsection C of this section that results in great bodily injury to
3 the victim shall be guilty of a felony and punished by imprisonment
4 in the custody of the Department of Corrections for not more than
5 ten (10) years, or by imprisonment in the county jail for not more
6 than one (1) year. The provisions of Section 51.1 of this title
7 shall apply to any second or subsequent conviction of a violation of
8 this subsection.

9 G. Any person convicted of domestic abuse as defined in
10 subsection C of this section that was committed in the presence of a
11 child shall be punished by imprisonment in the county jail for not
12 less than six (6) months nor more than one (1) year, or by a fine
13 not exceeding Five Thousand Dollars (\$5,000.00), or by both such
14 fine and imprisonment. Any person convicted of a second or
15 subsequent domestic abuse as defined in subsection C of this section
16 that was committed in the presence of a child shall be punished by
17 imprisonment in the custody of the Department of Corrections for not
18 less than one (1) year nor more than five (5) years, or by a fine
19 not exceeding Seven Thousand Dollars (\$7,000.00), or by both such
20 fine and imprisonment. The provisions of Section 51.1 of this title
21 shall apply to any second or subsequent offense. For every
22 conviction of a domestic abuse, ~~domestic assault or domestic assault~~
23 ~~and battery with a dangerous weapon, or domestic assault and battery~~
24 ~~with a deadly weapon~~ crime in violation of any provision of this

1 section committed against an intimate partner as defined by Section
2 60.1 of Title 22 of the Oklahoma Statutes, the court shall:

3 1. Specifically order as a condition of a suspended or deferred
4 sentence ~~or probation~~ that a defendant participate in counseling or
5 undergo treatment to bring about the cessation of domestic abuse as
6 specified in paragraph 2 of this subsection;

7 2. a. The court shall require the defendant to ~~participate~~
8 ~~in counseling or undergo treatment for domestic abuse~~
9 ~~by an individual licensed practitioner or a domestic~~
10 ~~abuse treatment~~ complete an assessment and follow the
11 recommendations of a batterers' intervention program
12 certified by the Attorney General. If the defendant
13 is ordered to participate in a ~~domestic abuse~~
14 ~~counseling or treatment~~ batterers' intervention
15 program, the order shall require the defendant to
16 attend the program for a minimum of fifty-two (52)
17 weeks, complete the program, and be evaluated before
18 and after attendance of the program by ~~a program~~
19 ~~counselor or a private counselor~~ staff. Three
20 unexcused absences in succession or seven unexcused
21 absences in a period of fifty-two (52) weeks from any
22 court-ordered ~~domestic abuse counseling or treatment~~
23 batterers' intervention program shall be prima facie
24 evidence of the violation of the conditions of

1 probation for the district attorney to seek
2 acceleration or revocation of any probation entered by
3 the court.

4 b. A program for anger management, couples counseling, or
5 family and marital counseling shall not solely qualify
6 for the counseling or treatment requirement for
7 domestic abuse pursuant to this subsection. The
8 counseling may be ordered in addition to counseling
9 specifically for the treatment of domestic abuse or
10 per evaluation as set forth below. If, after
11 sufficient evaluation and attendance at required
12 counseling sessions, the domestic violence treatment
13 program or licensed professional determines that the
14 defendant does not evaluate as a perpetrator of
15 domestic violence or does evaluate as a perpetrator of
16 domestic violence and should complete other programs
17 of treatment simultaneously or prior to domestic
18 violence treatment, including but not limited to
19 programs related to the mental health, apparent
20 substance or alcohol abuse or inability or refusal to
21 manage anger, the defendant shall be ordered to
22 complete the counseling as per the recommendations of
23 the domestic violence treatment program or licensed
24 professional;

1 3. a. The court shall set a review hearing no more than one
2 hundred twenty (120) days after the defendant is
3 ordered to participate in a domestic abuse counseling
4 program or undergo treatment for domestic abuse to
5 assure the attendance and compliance of the defendant
6 with the provisions of this subsection and the
7 domestic abuse counseling or treatment requirements.
8 The court may suspend sentencing of the defendant
9 until the defendant has presented proof to the court
10 of enrollment in a program of treatment for domestic
11 abuse by an individual licensed practitioner or a
12 domestic abuse treatment program certified by the
13 Attorney General and attendance at weekly sessions of
14 such program. Such proof shall be presented to the
15 court by the defendant no later than one hundred
16 twenty (120) days after the defendant is ordered to
17 such counseling or treatment. At such time, the court
18 may complete sentencing, beginning the period of the
19 sentence from the date that proof of enrollment is
20 presented to the court, and schedule reviews as
21 required by subparagraphs a and b of this paragraph
22 and paragraphs 4 and 5 of this subsection. Three
23 unexcused absences in succession or seven unexcused
24 absences in a period of fifty-two (52) weeks from any

1 court-ordered domestic abuse counseling or treatment
2 program shall be prima facie evidence of the violation
3 of the conditions of probation for the district
4 attorney to seek acceleration or revocation of any
5 probation entered by the court.

6 b. The court shall set a second review hearing after the
7 completion of the counseling or treatment to assure
8 the attendance and compliance of the defendant with
9 the provisions of this subsection and the domestic
10 abuse counseling or treatment requirements. The court
11 shall retain continuing jurisdiction over the
12 defendant during the course of ordered counseling
13 through the final review hearing;

14 4. The court may set subsequent or other review hearings as the
15 court determines necessary to assure the defendant attends and fully
16 complies with the provisions of this subsection and the domestic
17 abuse counseling or treatment requirements;

18 5. At any review hearing, if the defendant is not
19 satisfactorily attending individual counseling or a domestic abuse
20 counseling or treatment program or is not in compliance with any
21 domestic abuse counseling or treatment requirements, the court may
22 order the defendant to further or continue counseling, treatment, or
23 other necessary services. The court may revoke all or any part of a
24 suspended sentence, deferred sentence, or probation pursuant to

1 Section 991b of Title 22 of the Oklahoma Statutes and subject the
2 defendant to any or all remaining portions of the original sentence;

3 6. At the first review hearing, the court shall require the
4 defendant to appear in court. Thereafter, for any subsequent review
5 hearings, the court may accept a report on the progress of the
6 defendant from individual counseling, domestic abuse counseling, or
7 the treatment program. There shall be no requirement for the victim
8 to attend review hearings; and

9 7. If funding is available, a referee may be appointed and
10 assigned by the presiding judge of the district court to hear
11 designated cases set for review under this subsection. Reasonable
12 compensation for the referees shall be fixed by the presiding judge.
13 The referee shall meet the requirements and perform all duties in
14 the same manner and procedure as set forth in Sections 1-8-103 and
15 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees
16 appointed in juvenile proceedings.

17 The defendant may be required to pay all or part of the cost of
18 the counseling or treatment, in the discretion of the court.

19 H. As used in subsection G of this section, "in the presence of
20 a child" means in the physical presence of a child; or having
21 knowledge that a child is present and may see or hear an act of
22 domestic violence. For the purposes of subsections C and G of this
23 section, "child" may be any child whether or not related to the
24 victim or the defendant.

1 I. For the purposes of subsections C and G of this section, any
2 conviction for assault and battery against ~~a current or former~~
3 ~~spouse, a present spouse of a former spouse, a former spouse of a~~
4 ~~present spouse, parents, a foster parent, a child, a person~~
5 ~~otherwise related by blood or marriage, a person with whom the~~
6 ~~defendant is or was in a dating relationship~~ an intimate partner or
7 a family or household member as defined by Section 60.1 of Title 22
8 of the Oklahoma Statutes, ~~an individual with whom the defendant has~~
9 ~~had a child, a person who formerly lived in the same household as~~
10 ~~the defendant, or any person living in the same household as the~~
11 ~~defendant~~, shall constitute a sufficient basis for a felony charge:

12 1. If that conviction is rendered in any state, county or
13 parish court of record of this or any other state; or

14 2. If that conviction is rendered in any municipal court of
15 record of this or any other state for which any jail time was
16 served; provided, no conviction in a municipal court of record
17 entered prior to November 1, 1997, shall constitute a prior
18 conviction for purposes of a felony charge.

19 J. Any person who commits any assault and battery with intent
20 to cause great bodily harm by strangulation or attempted
21 strangulation against ~~a current or former spouse, a present spouse~~
22 ~~of a former spouse, a former spouse of a present spouse, parents, a~~
23 ~~foster parent, a child, a person otherwise related by blood or~~
24 ~~marriage, a person with whom the defendant is or was in a dating~~

1 ~~relationship~~ an intimate partner or a family or household member as
2 defined by Section 60.1 of Title 22 of the Oklahoma Statutes, ~~an~~
3 ~~individual with whom the defendant has had a child, a person who~~
4 ~~formerly lived in the same household as the defendant, or a person~~
5 ~~living in the same household as the defendant~~ shall, upon
6 conviction, be guilty of domestic abuse by strangulation and shall
7 be punished by imprisonment in the custody of the Department of
8 Corrections for a period of not less than one (1) year nor more than
9 three (3) years, or by a fine of not more than Three Thousand
10 Dollars (\$3,000.00), or by both such fine and imprisonment. Upon a
11 second or subsequent conviction for a violation of this section, the
12 defendant shall be punished by imprisonment in the custody of the
13 Department of Corrections for a period of not less than three (3)
14 years nor more than ten (10) years, or by a fine of not more than
15 Twenty Thousand Dollars (\$20,000.00), or by both such fine and
16 imprisonment. The provisions of Section 51.1 of this title shall
17 apply to any second or subsequent conviction of a violation of this
18 subsection. As used in this subsection, "strangulation" means any
19 form of asphyxia; including, but not limited to, asphyxia
20 characterized by closure of the blood vessels or air passages of the
21 neck as a result of external pressure on the neck or the closure of
22 the nostrils or mouth as a result of external pressure on the head.

1 K. Any district court of this state and any judge thereof shall
2 be immune from any liability or prosecution for issuing an order
3 that requires a defendant to:

4 1. Attend a treatment program for domestic abusers certified by
5 the Attorney General;

6 2. Attend counseling or treatment services ordered as part of
7 any suspended or deferred sentence or probation; and

8 3. Attend, complete, and be evaluated before and after
9 attendance by a treatment program for domestic abusers, certified by
10 the Attorney General.

11 L. There shall be no charge of fees or costs to any victim of
12 domestic violence, stalking, or sexual assault in connection with
13 the prosecution of a domestic violence, stalking, or sexual assault
14 offense in this state.

15 M. In the course of prosecuting any charge of domestic abuse,
16 stalking, harassment, rape, or violation of a protective order, the
17 prosecutor shall provide the court, prior to sentencing or any plea
18 agreement, a local history and any other available history of past
19 convictions of the defendant within the last ten (10) years relating
20 to domestic abuse, stalking, harassment, rape, violation of a
21 protective order, or any other violent misdemeanor or felony
22 convictions.

23 N. Any plea of guilty or finding of guilt for a violation of
24 subsection C, F, G, I or J of this section shall constitute a

1 conviction of the offense for the purpose of this act or any other
2 criminal statute under which the existence of a prior conviction is
3 relevant for a period of ten (10) years following the completion of
4 any court imposed probationary term; provided, the person has not,
5 in the meantime, been convicted of a misdemeanor involving moral
6 turpitude or a felony.

7 O. For purposes of subsection F of this section, "great bodily
8 injury" means bone fracture, protracted and obvious disfigurement,
9 protracted loss or impairment of the function of a body part, organ
10 or mental faculty, or substantial risk of death.

11 P. Any pleas of guilty or nolo contendere or finding of guilt
12 to a violation of any provision of this section shall constitute a
13 conviction of the offense for the purpose of any subsection of this
14 section under which the existence of a prior conviction is relevant
15 for a period of ten (10) years following the completion of any
16 sentence or court imposed probationary term.

17 SECTION 2. AMENDATORY 22 O.S. 2011, Section 60.1, is
18 amended to read as follows:

19 Section 60.1 As used in the Protection from Domestic Abuse Act
20 and in the Domestic Abuse Reporting Act, Sections 40.5 through 40.7
21 of this title and Section 150.12B of Title 74 of the Oklahoma
22 Statutes:

23 1. "Dating relationship" means intimate association, primarily
24 characterized by affectionate or sexual involvement. For purposes

1 of this act, a casual acquaintance or ordinary fraternization
2 between persons in a business or social context shall not constitute
3 a dating relationship;

4 2. "Domestic abuse" means any act of physical harm, or the
5 threat of imminent physical harm which is committed by an adult,
6 emancipated minor, or minor child thirteen (13) years of age or
7 older against another adult, emancipated minor or minor child who
8 are or were intimate partners or family or household members ~~or who~~
9 ~~are or were in a dating relationship;~~

10 ~~2. "Stalking" means the willful, malicious, and repeated~~
11 ~~following or harassment of a person by an adult, emancipated minor,~~
12 ~~or minor thirteen (13) years of age or older, in a manner that would~~
13 ~~cause a reasonable person to feel frightened, intimidated,~~
14 ~~threatened, harassed, or molested and actually causes the person~~
15 ~~being followed or harassed to feel terrorized, frightened,~~
16 ~~intimidated, threatened, harassed or molested. Stalking also means~~
17 ~~a course of conduct composed of a series of two or more separate~~
18 ~~acts over a period of time, however short, evidencing a continuity~~
19 ~~of purpose or unconsented contact with a person that is initiated or~~
20 ~~continued without the consent of the individual or in disregard of~~
21 ~~the expressed desire of the individual that the contact be avoided~~
22 ~~or discontinued. Unconsented contact or course of conduct includes,~~
23 ~~but is not limited to:~~

- ~~a. following or appearing within the sight of that individual,~~
- ~~b. approaching or confronting that individual in a public place or on private property,~~
- ~~c. appearing at the workplace or residence of that individual,~~
- ~~d. entering onto or remaining on property owned, leased, or occupied by that individual,~~
- ~~e. contacting that individual by telephone,~~
- ~~f. sending mail or electronic communications to that individual, or~~
- ~~g. placing an object on, or delivering an object to, property owned, leased or occupied by that individual;~~

3. "Family or household members" means:

- a. parents, including grandparents, stepparents, adoptive parents and foster parents,
- b. children, including grandchildren, stepchildren, adopted children and foster children, and
- c. persons otherwise related by blood or marriage living in the same household;

4. "Foreign protective order" means any valid order of protection issued by a court of another state or a tribal court;

5. "Harassment" means a knowing and willful course or pattern of conduct by a family or household member or an individual who is

1 or has been involved in a dating relationship with the person,
2 directed at a specific person which seriously alarms or annoys the
3 person, and which serves no legitimate purpose. The course of
4 conduct must be such as would cause a reasonable person to suffer
5 substantial emotional distress, and must actually cause substantial
6 distress to the person. "Harassment" shall include, but not be
7 limited to, harassing or obscene telephone calls in violation of
8 Section 1172 of Title 21 of the Oklahoma Statutes and fear of death
9 or bodily injury;

10 ~~4. "Family or household members" means:~~

- 11 ~~a. spouses,~~
- 12 ~~b. ex-spouses,~~
- 13 ~~c. present spouses of ex-spouses,~~
- 14 ~~d. parents, including grandparents, stepparents, adoptive~~
15 ~~parents and foster parents,~~
- 16 ~~e. children, including grandchildren, stepchildren,~~
17 ~~adopted children and foster children,~~
- 18 ~~f. persons otherwise related by blood or marriage,~~
- 19 ~~g. persons living in the same household or who formerly~~
20 ~~lived in the same household, and~~
- 21 ~~h. persons who are the biological parents of the same~~
22 ~~child, regardless of their marital status, or whether~~
23 ~~they have lived together at any time. This shall~~
24 ~~include the elderly and handicapped;~~

1 ~~5. "Dating relationship" means a courtship or engagement~~
2 ~~relationship. For purposes of this act, a casual acquaintance or~~
3 ~~ordinary fraternization between persons in a business or social~~
4 ~~context shall not constitute a dating relationship;~~

5 ~~6. "Foreign protective order" means any valid order of~~
6 ~~protection issued by a court of another state or a tribal court;~~

7 ~~7. "Intimate partner" means:~~

8 ~~a. current or former spouses,~~

9 ~~b. persons who are or were in a dating relationship,~~

10 ~~c. persons who are the biological parents of the same~~
11 ~~child, regardless of their marital status or whether~~
12 ~~they have lived together at any time, and~~

13 ~~d. persons who currently or formerly lived together in an~~
14 ~~intimate way, primarily characterized by affectionate~~
15 ~~or sexual involvement. A sexual relationship may be~~
16 ~~an indicator that a person is an intimate partner, but~~
17 ~~is never a necessary condition;~~

18 ~~7. "Mutual protective order" means a final protective order or~~
19 ~~orders issued to both a plaintiff who has filed a petition for a~~
20 ~~protective order and a defendant included as the defendant in the~~
21 ~~plaintiff's petition restraining the parties from committing~~
22 ~~domestic violence, stalking, harassment or rape against each other.~~
23 ~~If both parties allege domestic abuse, violence, stalking,~~
24

1 harassment or rape against each other, the parties shall do so by
2 separate petition pursuant to Section 60.4 of this title;

3 8. "Rape" means rape and rape by instrumentation in violation
4 of Sections 1111 and 1111.1 of Title 21 of the Oklahoma Statutes;

5 8. 9. "Stalking" means the willful, malicious, and repeated
6 following or harassment of a person by an adult, emancipated minor,
7 or minor thirteen (13) years of age or older, in a manner that would
8 cause a reasonable person to feel frightened, intimidated,
9 threatened, harassed, or molested and actually causes the person
10 being followed or harassed to feel terrorized, frightened,
11 intimidated, threatened, harassed or molested. Stalking also means
12 a course of conduct composed of a series of two or more separate
13 acts over a period of time, however short, evidencing a continuity
14 of purpose or unconsented contact with a person that is initiated or
15 continued without the consent of the individual or in disregard of
16 the expressed desire of the individual that the contact be avoided
17 or discontinued. Unconsented contact or course of conduct includes,
18 but is not limited to:

19 a. following or appearing within the sight of that
20 individual,

21 b. approaching or confronting that individual in a public
22 place or on private property,

23 c. appearing at the workplace or residence of that
24 individual,

- 1 d. entering onto or remaining on property owned, leased
2 or occupied by that individual,
3 e. contacting that individual by telephone,
4 f. sending mail or electronic communications to that
5 individual, or
6 g. placing an object on, or delivering an object to,
7 property owned, leased or occupied by that individual;
8 and

9 10. "Victim support person" means a person affiliated with a
10 ~~certified domestic violence or,~~ sexual assault or adult human sex
11 trafficking program, certified by the Attorney General or certified
12 ~~by a recognized Native American Tribe if operating mainly within~~
13 operating under a tribal lands government, who provides support and
14 assistance for a person who files a petition under the Protection
15 from Domestic Violence Abuse Act; and

16 ~~9. "Mutual protective order" means a final protective order or~~
17 ~~orders issued to both a plaintiff who has filed a petition for a~~
18 ~~protective order and a defendant included as the defendant in the~~
19 ~~plaintiff's petition restraining the parties from committing~~
20 ~~domestic violence, stalking, harassment or rape against each other.~~
21 ~~If both parties allege domestic abuse, violence, stalking,~~
22 ~~harassment or rape against each other, the parties shall do so by~~
23 ~~separate petition pursuant to Section 60.4 of this title.~~

SECTION 3. This act shall become effective November 1, 2019.

57-1-7355 GRS 01/05/19