

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3903

By: Hefner of the House

and

6 Coleman of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to domestic violence; amending 22
12 O.S. 2021, Sections 40.6, 60.2, as last amended by
13 Section 1, Chapter 305, O.S.L. 2023 (22 O.S. Supp.
14 2025, Section 60.2), and 60.20, which relate to
15 criminal procedure; directing law enforcement
16 agencies to prepare written domestic violence
17 incident reports; providing examples which do not
18 satisfy the incident report requirement; directing
19 court clerks to accept for filing, file-stamp, and
20 docket each petition for a protective order;
21 directing that petition and any attachments be
22 maintained as part of case record; providing
23 exceptions; requiring each member of the judiciary to
24 complete certain annual training; and providing an
effective date.

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

SECTION 1. AMENDATORY 22 O.S. 2021, Section 40.6, is
amended to read as follows:

1 Section 40.6. A. It shall be the duty of every law enforcement
2 agency to ~~keep~~ prepare a written domestic violence incident report
3 and maintain a record of each reported incident of domestic abuse as
4 provided in subsection B of this section and to submit a monthly
5 report of such incidents as provided in subsection C of this section
6 to the Director of the Oklahoma State Bureau of Investigation. A
7 dispatch log, call-for-service entry, or similar notation does not
8 satisfy the written incident report requirement of this section.

9 B. The record of each reported incident of domestic abuse
10 shall:

- 11 1. Show the type of crime involved in the domestic abuse;
- 12 2. Show the day of the week the incident occurred;
- 13 3. Show the time of day the incident occurred; and
- 14 4. Contain other information requested by the Oklahoma State
15 Bureau of Investigation.

16 C. A monthly report of the recorded incidents of domestic abuse
17 shall be submitted to the Director of the Oklahoma State Bureau of
18 Investigation on forms provided by the Oklahoma State Bureau of
19 Investigation for such purpose and in accordance with the guidelines
20 established pursuant to Section 150.12B of Title 74 of the Oklahoma
21 Statutes.

22 SECTION 2. AMENDATORY 22 O.S. 2021, Section 60.2, as
23 last amended by Section 1, Chapter 305, O.S.L. 2023 (22 O.S. Supp.
24 2025, Section 60.2), is amended to read as follows:

1 Section 60.2. A. A victim of domestic abuse, a victim of
2 stalking, a victim of harassment, a victim of rape, any adult or
3 emancipated minor household member on behalf of any other family or
4 household member who is a minor or incompetent, any minor age
5 sixteen (16) or seventeen (17) years, or any adult victim of a crime
6 may seek relief under the provisions of the Protection from Domestic
7 Abuse Act.

8 1. The person seeking relief may file a petition for a
9 protective order with the district court in the county in which the
10 victim resides, the county in which the defendant resides, or the
11 county in which the domestic violence occurred. If the person
12 seeking relief is not a family or household member or an individual
13 who is or has been in a dating relationship with the defendant, the
14 person seeking relief must file a complaint against the defendant
15 with the proper law enforcement agency before filing a petition for
16 a protective order with the district court. The person seeking
17 relief shall provide a copy of the complaint that was filed with the
18 law enforcement agency at the full hearing if the complaint is not
19 available from the law enforcement agency. Failure to provide a
20 copy of the complaint filed with the law enforcement agency shall
21 constitute a frivolous filing and the court may assess attorney fees
22 and court costs against the plaintiff pursuant to paragraph 2 of
23 subsection C of this section. The filing of a petition for a
24 protective order shall not require jurisdiction or venue of the

1 criminal offense if either the plaintiff or defendant resides in the
2 county. If a petition has been filed in an action for divorce or
3 separate maintenance and either party to the action files a petition
4 for a protective order in the same county where the action for
5 divorce or separate maintenance is filed, the petition for the
6 protective order may be heard by the court hearing the divorce or
7 separate maintenance action if:

- 8 a. there is no established protective order docket in
9 such court, or
- 10 b. the court finds that, in the interest of judicial
11 economy, both actions may be heard together; provided,
12 however, the petition for a protective order,
13 including, but not limited to, a petition in which
14 children are named as petitioners, shall remain a
15 separate action and a separate order shall be entered
16 in the protective order action. Protective orders may
17 be dismissed in favor of restraining orders in the
18 divorce or separate maintenance action if the court
19 specifically finds, upon hearing, that such dismissal
20 is in the best interests of the parties and does not
21 compromise the safety of any petitioner.

22 If the defendant is a minor child, the petition shall be filed
23 with the court having jurisdiction over juvenile matters.

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1 2. When the abuse occurs when the court is not open for
2 business, such person may request an emergency temporary order of
3 protection as authorized by Section 40.3 of this title.

4 B. The petition forms shall be provided by the clerk of the
5 court. The Administrative Office of the Courts shall develop a
6 standard form for the petition. The clerk of the district court
7 shall accept for filing, file-stamp, and docket each petition for a
8 protective order when presented. A petition shall be filed of
9 record regardless of disposition, including whether an emergency, ex
10 parte, interim, or final protective order is granted, denied,
11 dismissed, or withdrawn. The petition and any attachments submitted
12 shall be maintained as part of the case record, subject to
13 confidentiality, redaction, sealing, or expungement as provided by
14 law.

15 C. 1. Except as otherwise provided by this section, no filing
16 fee, service of process fee, attorney fees or any other fee or costs
17 shall be charged the plaintiff or victim at any time for filing a
18 petition for a protective order whether a protective order is
19 granted or not granted. The court may assess court costs, service
20 of process fees, attorney fees, other fees and filing fees against
21 the defendant at the hearing on the petition, if a protective order
22 is granted against the defendant; provided, the court shall have
23 authority to waive the costs and fees if the court finds that the
24 party does not have the ability to pay the costs and fees.

1 2. If the court makes specific findings that a petition for a
2 protective order has been filed frivolously and no victim exists,
3 the court may assess attorney fees and court costs against the
4 plaintiff.

5 D. The person seeking relief shall prepare the petition or, at
6 the request of the plaintiff, the court clerk or the victim-witness
7 coordinator, victim support person, and court case manager shall
8 prepare or assist the plaintiff in preparing the petition.

9 E. The person seeking a protective order may further request
10 the exclusive care, possession, or control of any animal owned,
11 possessed, leased, kept, or held by either the petitioner, defendant
12 or minor child residing in the residence of the petitioner or
13 defendant. The court may order the defendant to make no contact
14 with the animal and forbid the defendant from taking, transferring,
15 encumbering, concealing, molesting, attacking, striking,
16 threatening, harming, or otherwise disposing of the animal.

17 F. A court may not require the victim to seek legal sanctions
18 against the defendant including, but not limited to, divorce,
19 separation, paternity or criminal proceedings prior to hearing a
20 petition for protective order.

21 G. A victim of rape, forcible sodomy, a sex offense,
22 kidnapping, assault and battery with a deadly weapon, child abuse,
23 or member of the immediate family of a victim of first-degree
24 murder, as such terms are defined in Section 40 of this title, may

1 petition, or have a petition filed on the victim's behalf if the
2 victim is a minor, for an emergency temporary order or emergency ex
3 parte order regardless of any relationship or scenario pursuant to
4 the provisions of this section. The Administrative Office of the
5 Courts shall modify the petition forms as necessary to effectuate
6 the provisions of this subsection.

7 SECTION 3. AMENDATORY 22 O.S. 2021, Section 60.20, is
8 amended to read as follows:

9 Section 60.20. The Administrative Office of the Courts shall
10 provide annual domestic violence, substance abuse, addiction and
11 mental health educational training for members of the judiciary, and
12 each member of the judiciary who hears criminal, juvenile, family,
13 and domestic cases shall complete no fewer than two (2) hours of
14 such training every two (2) years. Subject to available funding,
15 curriculum for training required under this section shall include,
16 but not be limited to:

- 17 1. Dynamics of domestic violence;
- 18 2. The impact of domestic violence on victims and their
19 children including trauma and the neurobiology of trauma;
- 20 3. Identifying dominant aggressor;
- 21 4. Tactics and behavior of batterers;
- 22 5. Victim protection orders and full faith and credit under the
23 Violence Against Women Act of 1994;
- 24 6. Rights of victims; and

1 7. Evidence-based practices regarding behavioral health and
2 treatment of those with substance abuse or mental health needs.

3 SECTION 4. This act shall become effective November 1, 2026.
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