

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 3903

7 By: Hefner

8 POLICY COMMITTEE RECOMMENDATION

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

24 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:

Section 40.6. A. It shall be the duty of every law enforcement
agency to ~~keep~~ prepare a written domestic violence incident report
and maintain a record of each reported incident of domestic abuse as

1 provided in subsection B of this section and to submit a monthly
2 report of such incidents as provided in subsection C of this section
3 to the Director of the Oklahoma State Bureau of Investigation. A
4 dispatch log, call-for-service entry, or similar notation does not
5 satisfy the written incident report requirement of this section.

6 B. The record of each reported incident of domestic abuse
7 shall:

- 8 1. Show the type of crime involved in the domestic abuse;
- 9 2. Show the day of the week the incident occurred;
- 10 3. Show the time of day the incident occurred; and

11 4. Contain other information requested by the Oklahoma State
12 Bureau of Investigation.

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

19 SECTION 2. AMENDATORY 22 O.S. 2021, Section 60.2, as
20 last amended by Section 1, Chapter 305, O.S.L. 2023 (22 O.S. Supp.
21 2025, Section 60.2), is amended to read as follows:

22 Section 60.2. A. A victim of domestic abuse, a victim of
23 stalking, a victim of harassment, a victim of rape, any adult or
24 emancipated minor household member on behalf of any other family or

1 household member who is a minor or incompetent, any minor age
2 sixteen (16) or seventeen (17) years, or any adult victim of a crime
3 may seek relief under the provisions of the Protection from Domestic
4 Abuse Act.

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

1 for a protective order in the same county where the action for
2 divorce or separate maintenance is filed, the petition for the
3 protective order may be heard by the court hearing the divorce or
4 separate maintenance action if:

5 a. there is no established protective order docket in
6 such court, or

7 b. the court finds that, in the interest of judicial
8 economy, both actions may be heard together; provided,
9 however, the petition for a protective order,
10 including, but not limited to, a petition in which
11 children are named as petitioners, shall remain a
12 separate action and a separate order shall be entered
13 in the protective order action. Protective orders may
14 be dismissed in favor of restraining orders in the
15 divorce or separate maintenance action if the court
16 specifically finds, upon hearing, that such dismissal
17 is in the best interests of the parties and does not
18 compromise the safety of any petitioner.

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

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

24

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

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

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

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

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

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

19 G. A victim of rape, forcible sodomy, a sex offense,
20 kidnapping, assault and battery with a deadly weapon, child abuse,
21 or member of the immediate family of a victim of first-degree
22 murder, as such terms are defined in Section 40 of this title, may
23 petition, or have a petition filed on the victim's behalf if the
24 victim is a minor, for an emergency temporary order or emergency ex

1 parte order regardless of any relationship or scenario pursuant to
2 the provisions of this section. The Administrative Office of the
3 Courts shall modify the petition forms as necessary to effectuate
4 the provisions of this subsection.

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

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

- 15 1. Dynamics of domestic violence;
- 16 2. The impact of domestic violence on victims and their
17 children including trauma and the neurobiology of trauma;
- 18 3. Identifying dominant aggressor;
- 19 4. Tactics and behavior of batterers;
- 20 5. Victim protection orders and full faith and credit under the
21 Violence Against Women Act of 1994;
- 22 6. Rights of victims; and
- 23 7. Evidence-based practices regarding behavioral health and
24 treatment of those with substance abuse or mental health needs.

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

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