

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 3905

7 By: Hefner

8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to domestic violence; amending 22
10 O.S. 2021, Section 60.17, which relates to the
11 Protection from Domestic Abuse Act; providing
12 alternative methods of payment for defendants deemed
13 indigent; requiring use of Global Positioning System
14 (GPS) monitoring devices by defendants when released
15 on bond; authorizing courts to issue hold order under
16 certain circumstances; directing defendants to pay
17 costs for monitoring devices; requiring the
18 Department of Corrections to monitor devices and
19 defendants; requiring payment of supervision fees;
20 providing for the removal of monitoring devices under
21 certain circumstances; allowing GPS monitoring orders
22 to run concurrently with other orders or be
23 terminated upon order by the court; allowing victims
24 to monitor the location of defendants; providing
limitations on monitoring capabilities; and providing
an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 2021, Section 60.17, is
amended to read as follows:

Section 60.17. A. The court shall consider the safety of any
and all alleged victims of domestic violence, stalking, harassment,

1 sexual assault, or forcible sodomy where the defendant is alleged to
2 have violated a protective order, committed domestic assault and
3 battery, stalked, sexually assaulted, or forcibly sodomized the
4 alleged victim or victims prior to the release of the alleged
5 defendant from custody on bond. The court, after consideration and
6 to ensure the safety of the alleged victim or victims, may issue an
7 emergency protective order pursuant to the Protection from Domestic
8 Abuse Act. The court may also issue to the alleged victim or
9 victims an order restraining the alleged defendant from any activity
10 or action from which they may be restrained under the Protection
11 from Domestic Abuse Act. The court shall not consider a "no contact
12 order as condition of bond" as a factor when determining whether the
13 petitioner is eligible for relief. The protective order shall
14 remain in effect until either a plea has been accepted, sentencing
15 has occurred in the case, the case has been dismissed, or until
16 further order of the court dismissing the protective order. In
17 conjunction with any protective order or restraining order
18 authorized by this section, the court may order the defendant to use
19 an active, real-time, twenty-four-hour Global Positioning System
20 (GPS) monitoring device for such term as the court deems
21 appropriate. Upon application of the victim, the court may
22 authorize the victim to monitor the location of the defendant. Such
23 monitoring by the victim shall be limited to the ability of the
24 victim to make computer or cellular inquiries to determine if the

1 defendant is within a specified distance of locations, excluding the
2 residence or workplace of the defendant, or to receive a computer-
3 or a cellular-generated signal if the defendant comes within a
4 specified distance of the victim. The court shall conduct an annual
5 review of the monitoring order to determine if such order to monitor
6 the location of the defendant is still necessary. Before the court
7 orders the use of a GPS device, the court shall find that the
8 defendant has a history that demonstrates an intent to commit
9 violence against the victim, including, but not limited to, prior
10 conviction for an offense under the Protection from Domestic Abuse
11 Act or any other violent offense, or any other evidence that shows
12 by a preponderance of the evidence that the defendant is likely to
13 commit violence against the victim. The court may further order the
14 defendant to pay costs and expenses related to the GPS device and
15 monitoring, unless the court finds the defendant indigent, and in
16 that event may order an alternative payment fund, county services
17 fund, or other condition in lieu of payment.

18 B. 1. In addition to monitoring by the victim pursuant to
19 subsection A of this section, any defendant charged with stalking,
20 violating a victim protective order, domestic abuse by
21 strangulation, domestic abuse with a dangerous or deadly weapon, or
22 domestic abuse after a previous adjudication for domestic abuse
23 shall not be released on bail without a GPS monitoring device
24 attached to the defendant. If a GPS monitoring device cannot be

1 installed and activated at the time release of the defendant is
2 otherwise authorized due to unavailability of equipment, personnel,
3 or other logistical constraints, the court may order the defendant
4 be held in custody for a period not to exceed forty-eight (48)
5 hours, excluding weekends and holidays, to allow for installation
6 and activation. The cost of the GPS monitoring device shall be paid
7 by the defendant at his or her own expense until the conclusion of
8 the criminal case, unless the court finds the defendant indigent,
9 and in that event may order an alternative payment fund, county
10 services fund, or other condition in lieu of payment if available.
11 The Department of Corrections shall monitor such GPS monitoring
12 device and the defendant until the conclusion of the criminal case.
13 The defendant shall pay a supervision fee as provided for other
14 persons subject to supervision by the Department. At the conclusion
15 of the criminal case, the court shall order the removal of the GPS
16 monitoring device if the defendant is acquitted, is to be
17 incarcerated, the criminal case is dismissed, or as determined by
18 the court. If the defendant is placed on probation or supervision,
19 the monitoring order issued by the court may continue under the
20 sentencing order or may be terminated upon court order.

21 2. Upon application of the victim, the court may authorize the
22 victim to monitor the location of the defendant. Monitoring by the
23 victim shall be limited to the ability of the victim to make
24 computer or cellular inquiries to determine if the defendant is

1 within a specified distance of locations, excluding the residence or
2 workplace of the defendant, or to receive a computer- or cellular-
3 generated signal if the defendant comes within a specified distance
4 of the victim.

5 SECTION 2. This act shall become effective November 1, 2026.

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