

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3903

By: Hefner

6 AS INTRODUCED

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

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

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

20 Section 40.6. A. It shall be the duty of every law enforcement
21 agency to keep prepare a written domestic violence incident report
22 and maintain a record of each reported incident of domestic abuse as
23 provided in subsection B of this section and to submit a monthly
24 report of such incidents as provided in subsection C of this section

1 to the Director of the Oklahoma State Bureau of Investigation. A
2 dispatch log, call-for-service entry, or similar notation does not
3 satisfy the written incident report requirement of this section.

4 B. The record of each reported incident of domestic abuse
5 shall:

- 6 1. Show the type of crime involved in the domestic abuse;
- 7 2. Show the day of the week the incident occurred;
- 8 3. Show the time of day the incident occurred; and
- 9 4. Contain other information requested by the Oklahoma State

10 Bureau of Investigation.

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

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

20 Section 60.2. A. A victim of domestic abuse, a victim of
21 stalking, a victim of harassment, a victim of rape, any adult or
22 emancipated minor household member on behalf of any other family or
23 household member who is a minor or incompetent, any minor age
24 sixteen (16) or seventeen (17) years, or any adult victim of a crime

1 may seek relief under the provisions of the Protection from Domestic
2 Abuse Act.

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

1 protective order may be heard by the court hearing the divorce or
2 separate maintenance action if:

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

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

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

22 B. The petition forms shall be provided by the clerk of the
23 court. The Administrative Office of the Courts shall develop a
24 standard form for the petition. The clerk of the district court

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

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

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

23 D. The person seeking relief shall prepare the petition or, at
24 the request of the plaintiff, the court clerk or the victim-witness

1 coordinator, victim support person, and court case manager shall
2 prepare or assist the plaintiff in preparing the petition.

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

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

15 G. A victim of rape, forcible sodomy, a sex offense,
16 kidnapping, assault and battery with a deadly weapon, child abuse,
17 or member of the immediate family of a victim of first-degree
18 murder, as such terms are defined in Section 40 of this title, may
19 petition, or have a petition filed on the victim's behalf if the
20 victim is a minor, for an emergency temporary order or emergency ex
21 parte order regardless of any relationship or scenario pursuant to
22 the provisions of this section. The Administrative Office of the
23 Courts shall modify the petition forms as necessary to effectuate
24 the provisions of this subsection.

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

3 Section 60.20. The Administrative Office of the Courts shall
4 provide annual domestic violence, substance abuse, addiction and
5 mental health educational training for members of the judiciary, and
6 each member of the judiciary shall complete no fewer than two (2)
7 hours of such training annually. Subject to available funding,
8 curriculum for training required under this section shall include,
9 but not be limited to:

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

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

22 60-2-14613 CMA 12/29/25
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