

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3905 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Ellyn Hefner

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

PROPOSED OVERSIGHT
COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3905

By: Hefner

PROPOSED OVERSIGHT COMMITTEE SUBSTITUTE

An Act relating to domestic violence; amending 22 O.S. 2021, Section 60.17, which relates to the Protection from Domestic Abuse Act; providing alternative methods of payment for defendants deemed indigent; requiring use of Global Positioning System (GPS) monitoring devices by defendants charged with certain crimes; directing defendants to pay costs for monitoring devices; providing an exception; providing for the monitoring of devices and defendants; requiring payment of supervision fees; providing for the removal of monitoring devices under certain circumstances; allowing GPS monitoring orders to run concurrently with other orders or be terminated upon order by the court; allowing victims 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, the court may order any defendant
20 charged with stalking, violating a victim protective order, domestic
21 abuse by strangulation, domestic abuse with a dangerous or deadly
22 weapon, or domestic abuse after a previous adjudication for domestic
23 abuse to use an active, real-time, twenty-four-hour GPS monitoring
24 device for such term as the court deems appropriate. The cost of

1 the GPS monitoring device shall be paid by the defendant at his or
2 her own expense until the conclusion of the criminal case, unless
3 the court finds the defendant indigent, and in that event may order
4 an alternative payment fund, county services fund, or other
5 condition in lieu of payment if available.

6 2. The pretrial release or supervision programs established in
7 counties with a population over two hundred fifty thousand
8 (250,000), as determined by the latest Federal Decennial Census,
9 shall be responsible for monitoring the GPS device and the defendant
10 until the conclusion of the criminal case. Counties with a
11 population under two hundred fifty thousand (250,000), as determined
12 by the latest Federal Decennial Census, that lack an established
13 pretrial release or supervision program, shall be authorized to
14 utilize an entity that is deemed capable and that is selected by the
15 county, if funds are available, for assistance in monitoring the GPS
16 device and the defendant until the conclusion of the criminal case.
17 The defendant shall pay a supervision fee to the court clerk as
18 provided for other persons subject to supervision. At the
19 conclusion of the criminal case, the court shall order the removal
20 of the GPS monitoring device if the defendant is acquitted, is to be
21 incarcerated, the criminal case is dismissed, or as determined by
22 the court. If the defendant is placed on probation or supervision,
23 the monitoring order issued by the court may continue under the
24 sentencing order or may be terminated upon court order.

1 3. Upon application of the victim, the court may authorize the
2 victim to monitor the location of the defendant. Monitoring by the
3 victim shall be limited to the ability of the victim to make
4 computer or cellular inquiries to determine if the defendant is
5 within a specified distance of locations, excluding the residence or
6 workplace of the defendant, or to receive a computer- or cellular-
7 generated signal if the defendant comes within a specified distance
8 of the victim.

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

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