

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 60th Legislature (2026)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3905

By: Hefner and **Ford** of the
House

and

Coleman of the Senate

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11 COMMITTEE SUBSTITUTE

12 An Act relating to domestic violence; amending 22
13 O.S. 2021, Section 60.17, which relates to the
14 Protection from Domestic Abuse Act; providing
15 alternative methods of payment for defendants deemed
16 indigent; requiring use of Global Positioning System
17 (GPS) monitoring devices by defendants charged with
18 certain crimes; directing defendants to pay costs for
19 monitoring devices; providing an exception; providing
20 for the monitoring of devices and defendants;
21 requiring payment of supervision fees; providing for
22 the removal of monitoring devices under certain
23 circumstances; allowing GPS monitoring orders to run
24 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:

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

3 Section 60.17. A. The court shall consider the safety of any
4 and all alleged victims of domestic violence, stalking, harassment,
5 sexual assault, or forcible sodomy where the defendant is alleged to
6 have violated a protective order, committed domestic assault and
7 battery, stalked, sexually assaulted, or forcibly sodomized the
8 alleged victim or victims prior to the release of the alleged
9 defendant from custody on bond. The court, after consideration and
10 to ensure the safety of the alleged victim or victims, may issue an
11 emergency protective order pursuant to the Protection from Domestic
12 Abuse Act. The court may also issue to the alleged victim or
13 victims an order restraining the alleged defendant from any activity
14 or action from which they may be restrained under the Protection
15 from Domestic Abuse Act. The court shall not consider a "no contact
16 order as condition of bond" as a factor when determining whether the
17 petitioner is eligible for relief. The protective order shall
18 remain in effect until either a plea has been accepted, sentencing
19 has occurred in the case, the case has been dismissed, or until
20 further order of the court dismissing the protective order. In
21 conjunction with any protective order or restraining order
22 authorized by this section, the court may order the defendant to use
23 an active, real-time, twenty-four-hour Global Positioning System
24 (GPS) monitoring device for such term as the court deems

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

22 B. 1. In addition to monitoring by the victim pursuant to
23 subsection A of this section, the court may order any defendant
24 charged with stalking, violating a victim protective order, domestic

1 abuse by strangulation, domestic abuse with a dangerous or deadly
2 weapon, or domestic abuse after a previous adjudication for domestic
3 abuse to use an active, real-time, twenty-four-hour GPS monitoring
4 device for such term as the court deems appropriate. The cost of
5 the GPS monitoring device shall be paid by the defendant at his or
6 her own expense until the conclusion of the criminal case, unless
7 the court finds the defendant indigent, and in that event may order
8 an alternative payment fund, county services fund, or other
9 condition in lieu of payment if available.

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

1 incarcerated, the criminal case is dismissed, or as determined by
2 the court. If the defendant is placed on probation or supervision,
3 the monitoring order issued by the court may continue under the
4 sentencing order or may be terminated upon court order.

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

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

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15 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
16 OVERSIGHT, dated 03/05/2026 - DO PASS, As Amended and Coauthored.

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