

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 899

By: Jett

AS INTRODUCED

An Act relating to the Protection from Domestic Abuse Act; amending 22 O.S. 2021, Section 60.2, as last amended by Section 1, Chapter 305, O.S.L. 2023 (22 O.S. Supp. 2024, Section 60.2), which relates to protective orders; authorizing certain petition information; amending 22 O.S. 2021, Section 60.4, as amended by Section 7, Chapter 318, O.S.L. 2022 (22 O.S. Supp. 2024, Section 60.4), which relates to service of order; requiring court to consider certain criminal history; amending 22 O.S. 2021, Section 60.6, which relates to violation of order; modifying penalty provisions for certain offenses; and providing an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 2021, Section 60.2, as last amended by Section 1, Chapter 305, O.S.L. 2023 (22 O.S. Supp. 2024, Section 60.2), is amended to read as follows:

Section 60.2. A. A victim of domestic abuse, a victim of stalking, a victim of harassment, a victim of rape, any adult or emancipated minor household member on behalf of any other family or household member who is a minor or incompetent, any minor age 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 3. A petition for a protective order may include all members of  
23 the residence of the petitioner seeking relief as part of the same  
24 petition.

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.

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

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

18 D. The person seeking relief shall prepare the petition or, at  
19 the request of the plaintiff, the court clerk or the victim-witness  
20 coordinator, victim support person, and court case manager shall  
21 prepare or assist the plaintiff in preparing the petition.

22 E. The person seeking a protective order may further request  
23 the exclusive care, possession, or control of any animal owned,  
24 possessed, leased, kept, or held by either the petitioner, defendant

1 or minor child residing in the residence of the petitioner or  
2 defendant. The court may order the defendant to make no contact  
3 with the animal and forbid the defendant from taking, transferring,  
4 encumbering, concealing, molesting, attacking, striking,  
5 threatening, harming, or otherwise disposing of the animal.

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

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

20 SECTION 2. AMENDATORY 22 O.S. 2021, Section 60.4, as  
21 amended by Section 7, Chapter 318, O.S.L. 2022 (22 O.S. Supp. 2024,  
22 Section 60.4), is amended to read as follows:

23 Section 60.4. A. 1. A copy of a petition for a protective  
24 order, any notice of hearing and a copy of any emergency temporary  
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1 order or emergency ex parte order issued by the court shall be  
2 served upon the defendant in the same manner as a bench warrant. In  
3 addition, if the service is to be in another county, the court clerk  
4 may issue service to the sheriff by facsimile or other electronic  
5 transmission for service by the sheriff and receive the return of  
6 service from the sheriff in the same manner. Any fee for service of  
7 a petition for protective order, notice of hearing, and emergency ex  
8 parte order shall only be charged pursuant to subsection C of  
9 Section 60.2 of this title and, if charged, shall be the same as the  
10 sheriff's service fee plus mileage expenses.

11 2. Emergency temporary orders, emergency ex parte orders and  
12 notice of hearings shall be given priority for service and can be  
13 served twenty-four (24) hours a day when the location of the  
14 defendant is known. When service cannot be made upon the defendant  
15 by the sheriff, the sheriff may contact another law enforcement  
16 officer or a private investigator or private process server to serve  
17 the defendant.

18 3. An emergency temporary order, emergency ex parte order, a  
19 petition for protective order, and a notice of hearing shall have  
20 statewide validity and may be transferred to any law enforcement  
21 jurisdiction to effect service upon the defendant. The sheriff may  
22 transmit the document by electronic means.

1 4. The return of service shall be submitted to the sheriff's  
2 office or court clerk in the court where the petition, notice of  
3 hearing or order was issued.

4 5. When the defendant is a minor child who is ordered removed  
5 from the residence of the victim, in addition to those documents  
6 served upon the defendant, a copy of the petition, notice of hearing  
7 and a copy of any temporary order or ex parte order issued by the  
8 court shall be delivered with the child to the caretaker of the  
9 place where such child is taken pursuant to Section 2-2-101 of Title  
10 10A of the Oklahoma Statutes.

11 B. 1. Within fourteen (14) days of the filing of the petition  
12 for a protective order, the court shall schedule a full hearing on  
13 the petition, if the court finds sufficient grounds within the scope  
14 of the Protection from Domestic Abuse Act stated in the petition to  
15 hold such a hearing, regardless of whether an emergency temporary  
16 order or ex parte order has been previously issued, requested or  
17 denied. Provided, however, when the defendant is a minor child who  
18 has been removed from the residence pursuant to Section 2-2-101 of  
19 Title 10A of the Oklahoma Statutes, the court shall schedule a full  
20 hearing on the petition within seventy-two (72) hours, regardless of  
21 whether an emergency temporary order or ex parte order has been  
22 previously issued, requested or denied.

23 2. The court may schedule a full hearing on the petition for a  
24 protective order within seventy-two (72) hours when the court issues

1 an emergency temporary order or ex parte order suspending child  
2 visitation rights due to physical violence or threat of abuse.

3 3. If service has not been made on the defendant at the time of  
4 the hearing, the court shall, at the request of the petitioner,  
5 issue a new emergency order reflecting a new hearing date and direct  
6 service to issue.

7 4. A petition for a protective order shall, upon the request of  
8 the petitioner, renew every fourteen (14) days with a new hearing  
9 date assigned until the defendant is served. A petition for a  
10 protective order shall not expire unless the petitioner fails to  
11 appear at the hearing or fails to request a new order. A petitioner  
12 may move to dismiss the petition and emergency or final order at any  
13 time; however, a protective order must be dismissed by court order.

14 5. Failure to serve the defendant shall not be grounds for  
15 dismissal of a petition or an ex parte order unless the victim  
16 requests dismissal or fails to appear for the hearing thereon.

17 6. A final protective order shall be granted or denied within  
18 six (6) months of service on the defendant unless all parties agree  
19 that a temporary protective order remain in effect; provided, a  
20 victim shall have the right to request a final protective order  
21 hearing at any time after the passage of six (6) months.

22 C. 1. At the hearing, the court may impose any terms and  
23 conditions in the protective order that the court reasonably  
24 believes are necessary to bring about the cessation of domestic  
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1 abuse against the victim or stalking or harassment of the victim or  
2 the immediate family of the victim but shall not impose any term and  
3 condition that may compromise the safety of the victim including,  
4 but not limited to, mediation, couples counseling, family  
5 counseling, parenting classes or joint victim-offender counseling  
6 sessions. The court may order the defendant to obtain domestic  
7 abuse counseling or treatment in a program certified by the Attorney  
8 General at the expense of the defendant pursuant to Section 644 of  
9 Title 21 of the Oklahoma Statutes.

10 2. The court shall consider a defendant's criminal history in  
11 determining any terms and conditions in the protective order that  
12 the court reasonably believes are necessary to bring about the  
13 cessation of domestic abuse against the victim or stalking or  
14 harassment of the victim or the immediate family of the victim.

15 3. If the court grants a protective order and the defendant is  
16 a minor child, the court shall order a preliminary inquiry in a  
17 juvenile proceeding to determine whether further court action  
18 pursuant to the Oklahoma Juvenile Code should be taken against a  
19 juvenile defendant.

20 D. Final protective orders authorized by this section shall be  
21 on a standard form developed by the Administrative Office of the  
22 Courts.

23 E. 1. After notice and hearing, protective orders authorized  
24 by this section may require the defendant to undergo treatment or

1 participate in the court-approved counseling services necessary to  
2 bring about cessation of domestic abuse against the victim pursuant  
3 to Section 644 of Title 21 of the Oklahoma Statutes but shall not  
4 order any treatment or counseling that may compromise the safety of  
5 the victim including, but not limited to, mediation, couples  
6 counseling, family counseling, parenting classes or joint victim-  
7 offender counseling sessions.

8 2. The defendant may be required to pay all or any part of the  
9 cost of such treatment or counseling services. The court shall not  
10 be responsible for such cost.

11 3. Should the plaintiff choose to undergo treatment or  
12 participate in court-approved counseling services for victims of  
13 domestic abuse, the court may order the defendant to pay all or any  
14 part of the cost of such treatment or counseling services if the  
15 court determines that payment by the defendant is appropriate.

16 F. When necessary to protect the victim and when authorized by  
17 the court, protective orders granted pursuant to the provisions of  
18 this section may be served upon the defendant by a peace officer,  
19 sheriff, constable, or policeman or other officer whose duty it is  
20 to preserve the peace, as defined by Section 99 of Title 21 of the  
21 Oklahoma Statutes.

22 G. 1. Any protective order issued on or after November 1,  
23 2012, pursuant to subsection C of this section shall be:  
24

- 1 a. for a fixed period not to exceed a period of five (5)  
2 years unless extended, modified, vacated or rescinded  
3 upon motion by either party or if the court approves  
4 any consent agreement entered into by the plaintiff  
5 and defendant; provided, if the defendant is  
6 incarcerated, the protective order shall remain in  
7 full force and effect during the period of  
8 incarceration. The period of incarceration, in any  
9 jurisdiction, shall not be included in the calculation  
10 of the five-year time limitation, or  
11 b. continuous upon a specific finding by the court of one  
12 of the following:  
13 (1) the person has a history of violating the orders  
14 of any court or governmental entity,  
15 (2) the person has previously been convicted of a  
16 violent felony offense,  
17 (3) the person has a previous felony conviction for  
18 stalking as provided in Section 1173 of Title 21  
19 of the Oklahoma Statutes,  
20 (4) a court order for a final Victim Protection Order  
21 has previously been issued against the person in  
22 this state or another state, or  
23  
24  
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1 (5) the victim provides proof that a continuous  
2 protective order is necessary for his or her  
3 protection.

4 Further, the court may take into consideration whether the person  
5 has a history of domestic violence or a history of other violent  
6 acts. The protective order shall remain in effect until modified,  
7 vacated or rescinded upon motion by either party or if the court  
8 approves any consent agreement entered into by the plaintiff and  
9 defendant. If the defendant is incarcerated, the protective order  
10 shall remain in full force and effect during the period of  
11 incarceration.

12 2. The court shall notify the parties at the time of the  
13 issuance of the protective order of the duration of the protective  
14 order.

15 3. Upon the filing of a motion by either party to modify,  
16 extend, or vacate a protective order, a hearing shall be scheduled  
17 and notice given to the parties. At the hearing, the issuing court  
18 may take such action as is necessary under the circumstances.

19 4. If a child has been removed from the residence of a parent  
20 or custodial adult because of domestic abuse committed by the child,  
21 the parent or custodial adult may refuse the return of such child to  
22 the residence unless, upon further consideration by the court in a  
23 juvenile proceeding, it is determined that the child is no longer a  
24 threat and should be allowed to return to the residence.

1 H. 1. It shall be unlawful for any person to knowingly and  
2 willfully seek a protective order against a spouse or ex-spouse  
3 pursuant to the Protection from Domestic Abuse Act for purposes of  
4 harassment, undue advantage, intimidation, or limitation of child  
5 visitation rights in any divorce proceeding or separation action  
6 without justifiable cause.

7 2. The violator shall, upon conviction thereof, be guilty of a  
8 misdemeanor punishable by imprisonment in the county jail for a  
9 period not exceeding one (1) year or by a fine not to exceed Five  
10 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

11 3. A second or subsequent conviction under this subsection  
12 shall be a felony punishable by imprisonment in the custody of the  
13 Department of Corrections for a period not to exceed two (2) years,  
14 or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by  
15 both such fine and imprisonment.

16 I. 1. A protective order issued under the Protection from  
17 Domestic Abuse Act shall not in any manner affect title to real  
18 property, purport to grant to the parties a divorce or otherwise  
19 purport to determine the issues between the parties as to child  
20 custody, visitation or visitation schedules, child support or  
21 division of property or any other like relief obtainable pursuant to  
22 Title 43 of the Oklahoma Statutes, except child visitation orders  
23 may be temporarily suspended or modified to protect from threats of  
24 abuse or physical violence by the defendant or a threat to violate a

1 custody order. Orders not affecting title may be entered for good  
2 cause found to protect an animal owned by either of the parties or  
3 any child living in the household.

4 2. When granting any protective order for the protection of a  
5 minor child from violence or threats of abuse, the court shall allow  
6 visitation only under conditions that provide adequate supervision  
7 and protection to the child while maintaining the integrity of a  
8 divorce decree or temporary order.

9 J. 1. In order to ensure that a petitioner can maintain an  
10 existing wireless telephone number or household utility account, the  
11 court, after providing notice and a hearing, may issue an order  
12 directing a wireless service provider or public utility provider to  
13 transfer the billing responsibility for and rights to the wireless  
14 telephone number or numbers of any minor children in the care of the  
15 petitioning party or household utility account to the petitioner if  
16 the petitioner is not the wireless service or public utility account  
17 holder.

18 2. The order transferring billing responsibility for and rights  
19 to the wireless telephone number or numbers or household utility  
20 account to the petitioner shall list the name and billing telephone  
21 number of the account holder, the name and contact information of  
22 the person to whom the telephone number or numbers or household  
23 utility account will be transferred and each telephone number or  
24 household utility to be transferred to that person. The court shall

1 ensure that the contact information of the petitioner is not  
2 provided to the account holder in proceedings held under this  
3 subsection.

4 3. Upon issuance, a copy of the final order of protection shall  
5 be transmitted, either electronically or by certified mail, to the  
6 registered agent of the wireless service provider or public utility  
7 provider listed with the Secretary of State or Corporation  
8 Commission of Oklahoma or electronically to the email address  
9 provided by the wireless service provider or public utility  
10 provider. Such transmittal shall constitute adequate notice for the  
11 wireless service provider or public utility provider.

12 4. If the wireless service provider or public utility provider  
13 cannot operationally or technically effectuate the order due to  
14 certain circumstances, the wireless service provider or public  
15 utility provider shall notify the petitioner. Such circumstances  
16 shall include, but not be limited to, the following:

- 17 a. the account holder has already terminated the account,
- 18 b. the differences in network technology prevent the  
19 functionality of a mobile device on the network, or
- 20 c. there are geographic or other limitations on network  
21 or service availability.

22 5. Upon transfer of billing responsibility for and rights to a  
23 wireless telephone number or numbers or household utility account to  
24 the petitioner under the provisions of this subsection by a wireless  
25

1 service provider or public utility provider, the petitioner shall  
2 assume all financial responsibility for the transferred wireless  
3 telephone number or numbers or household utility account, monthly  
4 service and utility billing costs and costs for any mobile device  
5 associated with the wireless telephone number or numbers. The  
6 wireless service provider or public utility provider shall have the  
7 right to pursue the original account holder for purposes of  
8 collecting any past due amounts owed to the wireless service  
9 provider or public utility provider.

10 6. The provisions of this subsection shall not preclude a  
11 wireless service provider or public utility provider from applying  
12 any routine and customary requirements for account establishment to  
13 the petitioner as part of this transfer of billing responsibility  
14 for a household utility account or for a wireless telephone number  
15 or numbers and any mobile devices attached to that number including,  
16 but not limited to, identification, financial information and  
17 customer preferences.

18 7. The provisions of this subsection shall not affect the  
19 ability of the court to apportion the assets and debts of the  
20 parties as provided for in law or the ability to determine the  
21 temporary use, possession and control of personal property.

22 8. No cause of action shall lie against any wireless service  
23 provider or public utility provider, its officers, employees or  
24



1 agents for actions taken in accordance with the terms of a court  
2 order issued under the provisions of this subsection.

3 9. As used in this subsection:

4 a. "wireless service provider" means a provider of  
5 commercial mobile service under Section 332(d) of the  
6 federal Telecommunications Act of 1996,

7 b. "public utility provider" means every corporation  
8 organized or doing business in this state that owns,  
9 operates or manages any plant or equipment for the  
10 manufacture, production, transmission, transportation,  
11 delivery or furnishing of water, heat or light with  
12 gas or electric current for heat, light or power, for  
13 public use in this state, and

14 c. "household utility account" shall include utility  
15 services for water, heat, light, power or gas that are  
16 provided by a public utility provider.

17 K. 1. A court shall not issue any mutual protective orders.

18 2. If both parties allege domestic abuse by the other party,  
19 the parties shall do so by separate petitions. The court shall  
20 review each petition separately in an individual or a consolidated  
21 hearing and grant or deny each petition on its individual merits.  
22 If the court finds cause to grant both motions, the court shall do  
23 so by separate orders and with specific findings justifying the  
24 issuance of each order.

1 3. The court may only consolidate a hearing if:

2 a. the court makes specific findings that:

3 (1) sufficient evidence exists of domestic abuse,  
4 stalking, harassment or rape against each party,  
5 and

6 (2) each party acted primarily as aggressors,

7 b. the defendant filed a petition with the court for a  
8 protective order no less than three (3) days, not  
9 including weekends or holidays, prior to the first  
10 scheduled full hearing on the petition filed by the  
11 plaintiff, and

12 c. the defendant had no less than forty-eight (48) hours  
13 of notice prior to the full hearing on the petition  
14 filed by the plaintiff.

15 L. The court may allow a plaintiff or victim to be accompanied  
16 by a victim support person at court proceedings. A victim support  
17 person shall not make legal arguments; however, a victim support  
18 person who is not a licensed attorney may offer the plaintiff or  
19 victim comfort or support and may remain in close proximity to the  
20 plaintiff or victim.

21 SECTION 3. AMENDATORY 22 O.S. 2021, Section 60.6, is  
22 amended to read as follows:

23 Section 60.6. A. Except as otherwise provided by this section,  
24 any person who:

1 1. Has been served with an emergency temporary, ex parte or  
2 final protective order or foreign protective order and is in  
3 violation of such protective order, upon conviction, shall be guilty  
4 of a ~~misdemeanor~~ felony and shall be punished by a fine of not more  
5 than ~~One Thousand Dollars (\$1,000.00)~~ or Two Thousand Dollars  
6 (\$2,000.00), by a term of imprisonment in the ~~county jail~~ of custody  
7 of the Department of Corrections for not more than ~~one (1) year~~ two  
8 years, or by both such fine and imprisonment; and

9 2. After a previous conviction of a violation of a protective  
10 order, is convicted of a second or subsequent offense pursuant to  
11 the provisions of this section shall, upon conviction, be guilty of  
12 a felony and shall be punished by a term of imprisonment in the  
13 custody of the Department of Corrections for not ~~less than one (1)~~  
14 ~~year nor~~ more than ~~three (3)~~ four (4) years, or by a fine of not  
15 less than Two Thousand Dollars (\$2,000.00) nor more than Ten  
16 Thousand Dollars (\$10,000.00), or by both such fine and  
17 imprisonment.

18 B. 1. Any person who has been served with an emergency  
19 temporary, ex parte or final protective order or foreign protective  
20 order who violates the protective order and causes physical injury  
21 or physical impairment to the plaintiff or to any other person named  
22 in said protective order shall, upon conviction, be guilty of a  
23 ~~misdemeanor~~ felony and shall be punished by a term of imprisonment  
24 in the ~~county jail~~ for not less than ~~twenty (20) days~~ nor custody of

1 the Department of Corrections for not more than ~~one (1) year~~ two (2)  
2 years. In addition to the term of imprisonment, the person may be  
3 punished by a fine not to exceed Five Thousand Dollars (\$5,000.00).

4 2. Any person who is convicted of a second or subsequent  
5 violation of a protective order which causes physical injury or  
6 physical impairment to a plaintiff or to any other person named in  
7 the protective order shall be guilty of a felony and shall be  
8 punished by a term of imprisonment in the custody of the Department  
9 of Corrections ~~of not less than one (1) year nor more than five (5)~~  
10 ~~years~~ six (6) years, or by a fine of not less than Three Thousand  
11 Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00),  
12 or by both such fine and imprisonment.

13 3. In determining the term of imprisonment required by this  
14 section, the jury or sentencing judge shall consider the degree of  
15 physical injury or physical impairment to the victim.

16 4. The provisions of this subsection shall not affect the  
17 applicability of Sections 644, 645, 647 and 652 of Title 21 of the  
18 Oklahoma Statutes.

19 C. The minimum sentence of imprisonment issued pursuant to the  
20 provisions of paragraph 2 of subsection A and paragraph 2 of  
21 subsection B of this section shall not be subject to statutory  
22 provisions for suspended sentences, deferred sentences or probation,  
23 provided the court may subject any remaining penalty under the  
24

1 jurisdiction of the court to the statutory provisions for suspended  
2 sentences, deferred sentences or probation.

3 D. In addition to any other penalty specified by this section,  
4 the court shall require a defendant to undergo the treatment or  
5 participate in the counseling services necessary to bring about the  
6 cessation of domestic abuse against the victim or to bring about the  
7 cessation of stalking or harassment of the victim. For every  
8 conviction of violation of a protective order:

9 1. The court shall specifically order as a condition of a  
10 suspended sentence or probation that a defendant participate in  
11 counseling or undergo treatment to bring about the cessation of  
12 domestic abuse as specified in paragraph 2 of this subsection;

13 2. a. The court shall require the defendant to participate  
14 in counseling or undergo treatment for domestic abuse  
15 by an individual licensed practitioner or a domestic  
16 abuse treatment program certified by the Attorney  
17 General. If the defendant is ordered to participate  
18 in a domestic abuse counseling or treatment program,  
19 the order shall require the defendant to attend the  
20 program for a minimum of fifty-two (52) weeks,  
21 complete the program, and be evaluated before and  
22 after attendance of the program by a program counselor  
23 or a private counselor.

1 b. A program for anger management, couples counseling, or  
2 family and marital counseling shall not solely qualify  
3 for the counseling or treatment requirement for  
4 domestic abuse pursuant to this subsection. The  
5 counseling may be ordered in addition to counseling  
6 specifically for the treatment of domestic abuse or  
7 per evaluation as set forth below. If, after  
8 sufficient evaluation and attendance at required  
9 counseling sessions, the domestic violence treatment  
10 program or licensed professional determines that the  
11 defendant does not evaluate as a perpetrator of  
12 domestic violence or does evaluate as a perpetrator of  
13 domestic violence and should complete other programs  
14 of treatment simultaneously or prior to domestic  
15 violence treatment, including but not limited to  
16 programs related to the mental health, apparent  
17 substance or alcohol abuse or inability or refusal to  
18 manage anger, the defendant shall be ordered to  
19 complete the counseling as per the recommendations of  
20 the domestic violence treatment program or licensed  
21 professional;

22 3. a. The court shall set a review hearing no more than one  
23 hundred twenty (120) days after the defendant is  
24 ordered to participate in a domestic abuse counseling

1 program or undergo treatment for domestic abuse to  
2 assure the attendance and compliance of the defendant  
3 with the provisions of this subsection and the  
4 domestic abuse counseling or treatment requirements.

5 b. The court shall set a second review hearing after the  
6 completion of the counseling or treatment to assure  
7 the attendance and compliance of the defendant with  
8 the provisions of this subsection and the domestic  
9 abuse counseling or treatment requirements. The court  
10 may suspend sentencing of the defendant until the  
11 defendant has presented proof to the court of  
12 enrollment in a program of treatment for domestic  
13 abuse by an individual licensed practitioner or a  
14 domestic abuse treatment program certified by the  
15 Attorney General and attendance at weekly sessions of  
16 such program. Such proof shall be presented to the  
17 court by the defendant no later than one hundred  
18 twenty (120) days after the defendant is ordered to  
19 such counseling or treatment. At such time, the court  
20 may complete sentencing, beginning the period of the  
21 sentence from the date that proof of enrollment is  
22 presented to the court, and schedule reviews as  
23 required by subparagraphs a and b of this paragraph  
24 and paragraphs 4 and 5 of this subsection. The court

1 shall retain continuing jurisdiction over the  
2 defendant during the course of ordered counseling  
3 through the final review hearing;

4 4. The court may set subsequent or other review hearings as the  
5 court determines necessary to assure the defendant attends and fully  
6 complies with the provisions of this subsection and the domestic  
7 abuse counseling or treatment requirements;

8 5. At any review hearing, if the defendant is not  
9 satisfactorily attending individual counseling or a domestic abuse  
10 counseling or treatment program or is not in compliance with any  
11 domestic abuse counseling or treatment requirements, the court may  
12 order the defendant to further or continue counseling, treatment, or  
13 other necessary services. The court may revoke all or any part of a  
14 suspended sentence, deferred sentence, or probation pursuant to  
15 Section 991b of this title and subject the defendant to any or all  
16 remaining portions of the original sentence;

17 6. At the first review hearing, the court shall require the  
18 defendant to appear in court. Thereafter, for any subsequent review  
19 hearings, the court may accept a report on the progress of the  
20 defendant from individual counseling, domestic abuse counseling, or  
21 the treatment program. There shall be no requirement for the victim  
22 to attend review hearings; and

23 7. If funding is available, a referee may be appointed and  
24 assigned by the presiding judge of the district court to hear  
25



1 designated cases set for review under this subsection. Reasonable  
2 compensation for the referees shall be fixed by the presiding judge.  
3 The referee shall meet the requirements and perform all duties in  
4 the same manner and procedure as set forth in Sections 1-8-103 and  
5 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees  
6 appointed in juvenile proceedings.

7 E. Emergency temporary, ex parte and final protective orders  
8 shall include notice of these penalties.

9 F. When a minor child violates the provisions of any protective  
10 order, the violation shall be heard in a juvenile proceeding and the  
11 court may order the child and the parent or parents of the child to  
12 participate in family counseling services necessary to bring about  
13 the cessation of domestic abuse against the victim and may order  
14 community service hours to be performed in lieu of any fine or  
15 imprisonment authorized by this section.

16 G. Any district court of this state and any judge thereof shall  
17 be immune from any liability or prosecution for issuing an order  
18 that requires a defendant to:

19 1. Attend a treatment program for domestic abusers certified by  
20 the Attorney General;

21 2. Attend counseling or treatment services ordered as part of  
22 any final protective order or for any violation of a protective  
23 order; and  
24

1           3. Attend, complete, and be evaluated before and after  
2 attendance by a treatment program for domestic abusers certified by  
3 the Attorney General.

4           H. At no time, under any proceeding, may a person protected by  
5 a protective order be held to be in violation of that protective  
6 order. Only a defendant against whom a protective order has been  
7 issued may be held to have violated the order.

8           I. In addition to any other penalty specified by this section,  
9 the court may order a defendant to use an active, real-time, twenty-  
10 four-hour Global Positioning System (GPS) monitoring device as a  
11 condition of a sentence. The court may further order the defendant  
12 to pay costs and expenses related to the GPS device and monitoring.

13           SECTION 4. This act shall become effective November 1, 2025.

14  
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