

1 **SENATE FLOOR VERSION**

2 February 24, 2016

3 **AS AMENDED**

4 SENATE BILL NO. 1491

5 By: Marlatt, **Ford, Justice,**  
6 **David and Griffin**

7 [ **domestic violence - Kristin's Law - domestic abuse**  
8 **- noncodification - effective date** ]

9  
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 **SECTION 1. NEW LAW A new section of law not to be**  
12 **codified in the Oklahoma Statutes reads as follows:**

13 **This act shall be known and may be cited as Kristin's Law.**

14 SECTION 2. AMENDATORY 21 O.S. 2011, Section 644.1, as  
15 amended by Section 2, Chapter 71, O.S.L. 2014 (21 O.S. Supp. 2015,  
16 Section 644.1), is amended to read as follows:

17 Section 644.1. A. Any person who commits domestic abuse, as  
18 defined by subsection C of Section 644 of this title, and has a  
19 prior pattern of physical abuse shall be guilty of a felony, upon  
20 conviction, punishable by imprisonment in the custody of the  
21 Department of Corrections for a term of not more than ten (10) years  
22 or by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by  
23 both such fine and imprisonment.

1 B. For purposes of this section, "prior pattern of physical  
2 abuse" means ~~three~~ two or more separate incidences, including the  
3 current incident, occurring on different days, ~~where all incidences~~  
4 ~~occurred within the previous twelve-month period,~~ and each incident  
5 relates to an act constituting assault and battery or domestic abuse  
6 committed by the defendant against a current or former spouse, a  
7 present spouse of a former spouse, parents, a foster parent, a  
8 child, a person otherwise related by blood or marriage, a person  
9 with whom the defendant is in a dating relationship, an individual  
10 with whom the defendant has had a child, a person who formerly lived  
11 in the same household as the defendant, a person living in the same  
12 household as the defendant, a current intimate partner or former  
13 intimate partner, or any combination of such persons, where proof of  
14 each incident prior to the present incident is established by the  
15 sworn testimony of a third party who was a witness to the alleged  
16 physical abuse or by other admissible direct evidence that is  
17 independent of the testimony of the victim.

18 SECTION 3. This act shall become effective November 1, 2016.

19 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
20 February 24, 2016 - DO PASS AS AMENDED

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