

1 that individual. This presumption may be rebutted by a credible
2 denial under oath.

3 SECTION 2. AMENDATORY 22 O.S. 2011, Section 60.1, as
4 amended by Section 2, Chapter 200, O.S.L. 2019 (22 O.S. Supp. 2020,
5 Section 60.1), is amended to read as follows:

6 Section 60.1 As used in the Protection from Domestic Abuse Act
7 and in the Domestic Abuse Reporting Act, Sections 40.5 through 40.7
8 of this title, and Section 150.12B of Title 74 of the Oklahoma
9 Statutes:

10 1. "Dating relationship" means intimate association, primarily
11 characterized by affectionate or sexual involvement. For purposes
12 of this act, a casual acquaintance or ordinary fraternization
13 between persons in a business or social context shall not constitute
14 a dating relationship;

15 2. "Domestic abuse" means any act of physical harm, or the
16 threat of imminent physical harm which is committed by an adult,
17 emancipated minor, or minor child thirteen (13) years of age or
18 older against another adult, emancipated minor or minor child who is
19 currently or was previously an intimate partner or family or
20 household member;

21 3. "Family or household members" means:

22 a. parents, including grandparents, stepparents, adoptive
23 parents and foster parents,

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1 b. children, including grandchildren, stepchildren,
2 adopted children and foster children, and

3 c. persons otherwise related by blood or marriage living
4 in the same household;

5 4. "Foreign protective order" means any valid order of
6 protection issued by a court of another state or a tribal court;

7 5. "Harassment" means a knowing and willful course or pattern
8 of conduct by a family or household member or an individual who is
9 or has been involved in a dating relationship with the person,
10 directed at a specific person which seriously alarms or annoys the
11 person, and which serves no legitimate purpose. Harassment can
12 occur via social media or other electronic communications that are
13 untrue or invade one's privacy and serves no legitimate purpose.

14 The course of conduct must be such as would cause a reasonable
15 person to suffer substantial emotional distress, and must actually
16 cause substantial distress to the person. "Harassment" shall
17 include, but not be limited to, harassing or obscene telephone calls
18 in violation of Section 1172 of Title 21 of the Oklahoma Statutes
19 and fear of death or bodily injury;

20 6. "Intimate partner" means:

21 a. current or former spouses,

22 b. persons who are or were in a dating relationship,
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1 c. persons who are the biological parents of the same
2 child, regardless of their marital status or whether
3 they have lived together at any time, and

4 d. persons who currently or formerly lived together in an
5 intimate way, primarily characterized by affectionate
6 or sexual involvement. A sexual relationship may be
7 an indicator that a person is an intimate partner, but
8 is never a necessary condition;

9 7. "Mutual protective order" means a final protective order or
10 orders issued to both a plaintiff who has filed a petition for a
11 protective order and a defendant included as the defendant in the
12 plaintiff's petition restraining the parties from committing
13 domestic violence, stalking, harassment or rape against each other.
14 If both parties allege domestic abuse, violence, stalking,
15 harassment or rape against each other, the parties shall do so by
16 separate petition pursuant to Section 60.4 of this title;

17 8. "Rape" means rape and rape by instrumentation in violation
18 of Sections 1111 and 1111.1 of Title 21 of the Oklahoma Statutes;

19 9. "Stalking" means the willful, malicious, and repeated
20 following or harassment of a person by an adult, emancipated minor,
21 or minor thirteen (13) years of age or older, in a manner that would
22 cause a reasonable person to feel frightened, intimidated,
23 threatened, harassed, or molested and actually causes the person
24 being followed or harassed to feel terrorized, frightened,

1 intimidated, threatened, harassed or molested. Stalking also means
2 a course of conduct composed of a series of two or more separate
3 acts over a period of time, however short, evidencing a continuity
4 of purpose or unconsented contact with a person that is initiated or
5 continued without the consent of the individual or in disregard of
6 the expressed desire of the individual that the contact be avoided
7 or discontinued. Unconsented contact or course of conduct includes,
8 but is not limited to:

- 9 a. following or appearing within the sight of that
10 individual,
- 11 b. approaching or confronting that individual in a public
12 place or on private property,
- 13 c. appearing at the workplace or residence of that
14 individual,
- 15 d. entering onto or remaining on property owned, leased
16 or occupied by that individual,
- 17 e. contacting that individual by telephone,
- 18 f. sending mail or electronic communications to that
19 individual, or
- 20 g. placing an object on, or delivering an object to,
21 property owned, leased or occupied by that individual;
22 and

23 10. "Victim support person" means a person affiliated with a
24 domestic violence, sexual assault or adult human sex trafficking

1 program, certified by the Attorney General or operating under a
2 tribal government, who provides support and assistance for a person
3 who files a petition under the Protection from Domestic Abuse Act.

4 SECTION 3. This act shall become effective November 1, 2021.

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6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL, dated
7 02/24/2021 - DO PASS, As Coauthored.

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