
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 1363 (Stefani) - Protective orders: Wyland's Law

Version: July 10, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: JUD. 13 - 0, PUB. S. 6 - 0

Mandate: No

Consultant: Liah Burnley

Bill Summary: AB 1363 requires superior courts to maintain a record demonstrating that it has transmitted information about protective orders to the Department of Justice (DOJ) and requires the DOJ to maintain a record demonstrating its receipt of the information transmitted about a protective order.

Fiscal Impact:

- The judicial branch estimates new, ongoing workload of \$2.1 million to \$3.3 million to comply with the notation components of the bill (Trial Court Trust Fund, General Fund). The majority of courts rely on their local law enforcement partners to update the Department of Justice's California Law Enforcement Telecommunications System (CLETS) with protective order information, including updates to existing orders. A few courts have the ability and trained staff to access the system and can update protective orders directly. For courts with this direct access, there will be workload associated with notating the transmission information each time a protective order was updated in the DOJ's system. For the other courts, they will need to remain in contact with their designee to obtain the information and go back and update case notes as the information is relayed back to court staff. The branch estimates a likely minor and absorbable impact to process requests to verify transmission information but notes that the information may not be available from the designee if they have not yet notified the court of compliance. Beginning with fiscal year 2024–25, the trial courts have an ongoing \$55 million reduction to their operational funding, which impacts their ability to provide core services, and more workload for the courts will further stretch court resources and may impact access to justice.
- DOJ anticipates a fiscal impact of approximately \$3 million or less (General Fund). DOJ notes implementation of this bill will be dependent upon the appropriation of funds. The DOJ will be unable to absorb the costs to comply with or implement the requirements of the bill within existing budgeted resources. Electronic transmittal of the records will be managed through the California Law Enforcement Telecommunications System (CLETS). The Information Security Branch (ISB) within DOJ's Office of General Counsel would be responsible for supporting the Information Security Programs for all CLETS and California Justice Information access requests. To address the increase in workload, ISB will require 1.0 Information Technology Specialist II and 1.0 Information Technology Specialist I beginning on January 1, 2027 and ongoing. This bill will have an impact to the General Fund.

The Tort and Condemnation Section (TORT), within the Civil Law Division anticipated an increase in workload representing BOF in lawsuits arising out of a failure to protect or discharge new statutory duties and to consult with BOF on related matters upon the enactment of AB 1363. TORT will require the following resources in each fiscal year beginning January 1, 2026: FY 2025-26: 100 Deputy Attorney General Supervisor (SDAG) hours and 100 Deputy Attorney General (DAG) hours; Ongoing: 200 SDAG hours and 200 DAG hours.

To implement the mandates of AB 1363, the Division of Law Enforcement (DLE), Bureau of Firearms (BOF) would require the following resources in FY 2025-26:

- 10 overtime hours for one Associate Governmental Program Analyst (AGPA) in the Firearm Application Review Unit (FARU) to attend joint application development (JAD) sessions.
- 30 overtime hours for one AGPA in FARU to conduct user acceptance testing (UAT) and enter transactions to ensure information is being checked against California Restraining and Protective Order System (CARPOS) and sent to CJIS.
- 20 overtime hours for two AGPAs in the Customer Support Center (CSC) to attend JAD sessions.
- 60 overtime hours for two AGPAs in the CSC to conduct UAT and enter transactions to ensure information is being checked against CARPOS and sent to CJIS.
- Additional ongoing funding will also be required for Deputy Attorney General (DAG) consultation costs to consult and review information prior to releasing any BOF records to CJIS for storing, releasing and uploading to CARPOS. The billable rate is \$228 per hour for 10 DAG hours annually.

AB 1363 would require that a record demonstrating receipt of information about a protective order maintained by DOJ is a public record not exempt from disclosure. While it is unknown what the volume of requests would be, the assumption is that this type of PRA request would be publicized and encouraged for individuals to utilize. The DOJ estimates 700 requests to be worked per business day (175,000 is half of DOJ's annual number of active records in the system divided by about 250 business days in the year), if 1% of requests were submitted through a PRA request, that would amount to 1,750 new requests per year that would require about 2.25 hours each to process.

To implement the mandates of this bill, the Regulations, Training, and PRA Section, within CJIS, would need the following resources:

- 2.0 Associate Governmental Program Analyst (AGPA) – Permanent beginning 1/1/2026 The AGPAs would process PRA requests related to a 'Wyland's Law Records Request', including, request intake, tracking, routing, reviewing, redacting, drafting response letters, obtaining approvals, and disseminating responses.

To implement the mandates of this bill, JDIS would require the following resources:

- 1.0 AGPA – Permanent beginning 1/1/2026. The AGPA would act as the subject matter expert surrounding legislation related to ‘Wyland’s Law Record Requests’, create program procedures and other internal documents for maintaining the automated protected person information and notification system, create testing scripts and scenarios for the technical testing of the automated protected person information and notification system, be responsible for drafting language to be made available to requestors, track firearm violation notices to ensure timely entry of violation messages into CARPOS, analyze data and provide statistics in response to data requests, and internal requests, and review PRAs surrounding “Wyland’s Law” requests.
- 2.0 Crime Analyst (CA) II – Permanent beginning 1/1/2026. The CA IIs would complete internal and public-facing testing of the automated protected person information and notification system. Review any partial matches received from the Dealer Record of Sale (DROS) application process and compare to active CARPOS records. Complete firearm violation entries based on partial match results. Act as the liaison between JDIS and BOF regarding firearm violation notices. Monitor the automated protected person information and notification system and work with the HDC to troubleshoot any technical errors. Assist with providing data in response to PRAs.

The California Law Enforcement Telecommunication System (CLETS) Administration Section, within ADB, would be required to onboard 27 additional courts/counties for use of CLETS and LEAWeb. The following positions would be required:

- 1.0 Information Technology Specialist (ITS) I – Permanent beginning 1/1/2026. The ITS I would perform the following duties: Process New/Upgrade CLETS applications using Cloud or Cloud related software to ensure the agency system upgrades meet the technical security requirements, provide consultation and policy/statute interpretation as it relates to system implementation/upgrade, implementation plans, testing and going live into production, participate in working sessions to assist agencies with answering questions, and research and analysis.
- 1.0 Information Technology Associate (ITA) – Permanent beginning 1/1/2026. The ITA would perform the following duties: Process New/Upgrade Service CLETS applications to ensure the agency meets the technical security requirements, troubleshoot access problems, review and maintain agreements, and make table changes as needed.

As written, AB 1363 would authorize, but not require, the DOJ to create an automated protected person information and notification system to provide automated access to information maintained in CARPOS; including, whether the department has received a record of the protective order, if the protective order has been successfully served on the restrained person and, if the restrained person has violated the protective order by attempting to purchase or acquire a firearm or

ammunition while the order is in effect. The new system would need to capture restraining order data fields necessary for either inquiry matching purposes or transaction verification purposes. Personal identifiable information (PII) fields may need to be redacted from any public interface. This new system would also need to track data for the person inquiring and the record response provided to them.

The IT project required by this bill would be subject to Project Approval Lifecycle (PAL) Stage 1-4 California Department of Technology (CDT) oversight. An exemption from CDT oversight would be required to implement this bill timely. The IT system changes would require a minimum of 18 months to complete. The project effort would consist of three months of upfront planning, followed by an eight-month development effort, four months of testing, and three months of post implementation efforts. The implementation effort would require hiring additional staff and consultants.

The CJIS Applications Unit, within ADB, would require the following resources:

- 1.0 ITS I – Permanent beginning 1/1/2026. The ITS I would perform the following duties: Analysis, contracts, testing, and ongoing maintenance.
- 1.0 ITS I – Permanent beginning 1/1/2026. The ITS I would perform the following duties: Review requirements, system testing, and implementation testing.
- IT Consultant (JAVA/SQL Developer): Term 1/1/2026 – 12/31/2026. The JAVA/SQL Developer would perform the following duties: Create new system, requirements gathering and analysis, technical analysis, design, coding, unit testing, system integration testing, implementation, knowledge transfer and technical documentation.

To complete the IT system changes, ESB would need the following resources:

- 1.0 ITS I – Permanent beginning 1/1/2026 (Project Management and Oversight Section). The ITS I would perform the following duties: Oversee the project approval lifecycle planning stages 1-4, manage the software development lifecycle project phases for design, development, implementation, post implementation monitoring and project close out.
- 1.0 ITS I – Permanent beginning 1/1/2026 (Quality Assurance Enterprise Testing Office). The ITS I would perform the following duties: Participate in application development sessions and contribute to ensuring the requirements are unambiguous and testable, serve as a resource to the project team for quality assurance, review the requirements, develop test cases and test data, perform functional and regression testing, report and document all defects identified during the functional testing and regression testing, and provide ongoing system support.
- CDT Oversight Manager: Term 1/1/2026 – 1/1/2028. Oversee and ensure successful execution of the IT project. If the DOJ is required to contract with the CDT for project approval, oversight, and tracking, based on the CDT costs

associated with current DOJ projects, the cost of CDT oversight is estimated to be \$23,504 per month. The total cost of CDT oversight would be an estimated \$564,096 over the length of an 18-month effort.

Background: Current law also requires that protective orders, or specified information relating to the parties covered by protective orders, be transferred to DOJ, generally through the CLETS system, so that the information can be entered into CARPOS. CARPOS is a statewide database that “provides courts and law enforcement agencies with access, through CLETS, to important details about court protection and restraining orders, including their terms and conditions, firearm prohibitions, expiration date, whether the respondent has received notice of the order, and who[m] the order restrains and protects.” (DOJ, Armed and Prohibited Persons System Report 2024, p. 11 available at <<https://oag.ca.gov/system/files/media/2024-apps-report.pdf>>.) CARPOS plays a critical role in preventing prohibited persons from acquiring firearms and ammunition. (Ibid.)

For DVROs, information about the order can be transmitted to DOJ directly by the court or by a law enforcement agency designated by the court. (Fam. Code, § 6380, subds. (a).) According to the Senate Judiciary Committee’s analysis of this bill, the overwhelming majority of superior courts designate a law enforcement agency to do the transmittals.

Proposed Law:

- Requires a superior court that issues a protective order, upon the request of a petitioner, respondent, or protected person, or their representative, to, within one business day or, if the request is made available on the same day the order is issued, within two business days, make the following information available to the requester:
 - Information demonstrating when the superior court transmitted information to DOJ pertaining to a domestic violence restraining order, a criminal protective order, or juvenile court’s order related to domestic violence; and,
 - Information demonstrating when the superior court transmitted information to DOJ, or information demonstrating that the court ordered the petitioner to deliver a copy of the order to a law enforcement agency for an order issued pursuant to a protective order to prevent harassment, workplace violence, or the threat of campus violence, or a protective order to prevent the abuse of an elder or dependent adult.
- Requires, if a superior court uses a designee to transmit information about a protective order to DOJ, the designee to confirm to the superior court, within one business day, that it transmitted information about the protective order to DOJ, and requires the superior court to maintain the record from the designee that the information about the protective order was transmitted to DOJ.
- Requires DOJ to maintain a record demonstrating receipt of the information about a protective order transmitted to the department.

- Authorizes DOJ, subject to an appropriation, to establish, or contract with a vendor to establish, an automated protected person information and notification system to provide a petitioner or protected person in a protective order case with automated access to information maintained in the CARPOS about their case, including all of the following:
 - Whether the department has received a record of the protective order;
 - If the protective order has been successfully served on the restrained person; and,
 - If the restrained person has violated the protective order by attempting to purchase or acquire a firearm or ammunition while the order is in effect.
- Provides that a record demonstrating whether the superior court has fulfilled its transmission obligations is open to public inspection and copying.
- Provides a record demonstrating receipt of information about a protective order that DOJ maintains is a public record that is not exempt from disclosure under the CPRA.
- Provides that these provisions apply to cases pending before January 1, 2026, to the extent that information about a protective order is necessary to verify a superior court's transmission obligations.

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