

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1753 (Stefani) – As Amended April 16, 2026

Policy Committee:	Public Safety	Vote:	9 - 0
	Judiciary		9 - 1

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill makes numerous changes to California’s protective order statutes, including modifying notice requirements for temporary and ex parte restraining orders, requiring relinquishment of ammunition (in addition to firearms) under certain protective orders, providing for recognition and enforcement of out-of-state extreme risk protection orders, and adding specified misdemeanor convictions to the 10-year firearms prohibition list.

Specifically, this bill:

- 1) Authorizes courts to issue ex parte and temporary restraining orders (TROs) without prior notice if the petitioner certifies that providing notice would likely endanger the applicant or others, and prohibits courts from requiring petitioners to establish exceptional circumstances.
- 2) Requires relinquishment of ammunition (in addition to firearms) under specified TROs.
- 3) Authorizes courts to order a Department of Justice Automated Firearms System (AFS) database search at any stage of a protective order proceeding.
- 4) Requires LEAs and prosecuting agencies to designate personnel to receive notifications of firearm relinquishment violations, and requires prosecuting agencies to develop written policies governing protected party notice and relinquishment violation responses by January 1, 2028.
- 5) Authorizes peace officers to submit a billing to the court for service of protective orders, and authorizes remote appearances at no cost at workplace violence and postsecondary educational institution protective order hearings.
- 6) Adds specified misdemeanor convictions (including hate crimes, protective order violations, and threats against schools and sensitive locations) to the 10-year firearms prohibition list.

FISCAL EFFECT:

- 1) Workload costs to the Department of Justice (General Fund, special funds) of an unknown but potentially minor to moderate amount to, among other things, receive and process expanded protective order data transmissions, including criminal court protective orders, out-of-state extreme risk protection orders (ERPOs), and additional Judicial Council-form protective orders; and develop guidance and technical assistance.

- 2) Judicial Council identifies about \$80,000 in costs for additional hearing time and clerk workload to determine if a person is in possession of a firearm. (Trial Court Trust Fund, General Fund). Judicial Council does not have any fiscal concerns at this time.
- 3) Workload costs to local law enforcement agencies (local funds) to designate responsible personnel to access and receive firearm relinquishment violation notifications, coordinate follow-up actions and information sharing, and (where applicable) seek reimbursement for service of protective orders. The bill authorizes peace officers to submit a billing to the superior court for payment of service fees, which would offset some local costs. General Fund costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates.
- 4) Local costs, possibly reimbursable by the state (General Fund), of an unknown but potentially significant amount to law enforcement agencies (LEAs) to maintain custody of seized ammunition. Costs for each instance will likely be low, but costs could be significant in the aggregate statewide, with actual costs depending on the volume of ammunition that must be seized and maintained by LEAs. General Fund costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year beginning in the 2027-28 fiscal year.

COMMENTS:

- 1) **Purpose.** According to the author:

AB 1753 takes on one of the most critical gaps in survivor protection by making sure California's protective order laws actually work. [...] Too often, survivors get a protective order and assume they're safe, only to find that the system meant to back it up is broken. This bill closes the gap between what the law promises and what survivors actually experience.

- 2) **Background.** California law authorizes seven types of civil protective orders, plus criminal protective orders. Existing law generally requires notice to the opposing party before a TRO is issued, with limited exceptions. Existing law also requires relinquishment of firearms under specified protective orders. SB 899 (Skinner), Chapter 544, Statutes of 2024, extended firearm and ammunition relinquishment requirements across additional protective order types, but some provisions omitted reference to ammunition. This bill addresses that gap and makes other changes across the protective order framework, including notice modifications, ammunition relinquishment, AFS searches, ERPO recognition, agency policy adoption, and expanded firearms prohibitions for specified misdemeanor convictions. The Public Safety Committee analysis discusses procedural due process concerns related to the bill's modifications to TRO notice requirements (*Mathews v. Eldridge*; *Medina v. California*) and Second Amendment concerns under *United States v. Rahimi* (2024) regarding firearm relinquishment without notice. To the extent the bill is challenged in court, any defense costs would be borne by the Department of Justice.

- 3) **Prior Legislation.** AB 824 (Stefani), of the current legislative session, addresses similar ammunition relinquishment issues and was held in the Senate Appropriations Committee.

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