

ASSEMBLY THIRD READING

AB 1961 (Ahrens)

As Amended April 16, 2026

Majority vote

SUMMARY

Authorizes an employer to seek a temporary restraining order (TRO) and an order after hearing if harassment, unlawful violence, or a credible threat of violence is directed at an employer's workplace or a location where a group of employees perform their primary job duties. The employer need not name a specific employee in the petition for such orders.

Major Provisions

- 1) States that if harassment, unlawful violence, or a credible threat of violence is directed at an employer's workplace or a location where a group of employees perform their primary job duties, the employer may, without naming a specific employee in the petition, seek a TRO and an order after hearing on behalf of all employees at that workplace or location.
- 2) States that "TRO" and "order after hearing" includes orders that are in response to the situation described in 1) above and that are enjoining a party from telephoning, including, but not limited to, making annoying telephone calls, as described, contacting, either directly or indirectly, by mail or otherwise, or coming within a specified distance of that workplace or location.
- 3) Requires, on or before January 1, 2028, the Judicial Council to adopt or modify forms, as needed, on which the court shall issue the orders described in 1) above.

COMMENTS

As mentioned in the author's background materials, threats that target school sites are not always directed at a specific individual. Current law requires that an individual be listed when an employer, such as a local education agency, seeks a TRO on behalf of a group of employees. In an attempt to comply with this requirement, schools will list a school principal or superintendent on the required Judicial Council forms. Courts may deny these TRO requests on the grounds that the individual listed was neither personally present during the incident nor did they personally fear for their safety. Some examples from the sponsor of threats to group of employees in the educational context:

- 1) A Bay Area urban elementary district where a parent claimed to have a concealed firearm and threatened to "shoot up the school."
- 2) A Bay Area suburban elementary district where a student posted written threats online to kill teachers and classmates, including threats targeting students of color.
- 3) A Bay Area suburban district where a community member repeatedly loitered on campus without legitimate business, claiming to be looking for a "girlfriend" who did not exist, prompting safety concerns among families.
- 4) A Central Valley County Office of Education where a former employee drove recklessly through a parking lot in an apparent attempt to intimidate staff.

According to the Author

"AB 1961 addresses a critical gap in our workplace safety laws. Currently, employers can obtain workplace violence restraining orders when a specific employee is targeted. However, there has been a rise in threats directed at entire workplaces, especially schools, without naming any individual. In these cases, courts may deny protection, leaving workers and students at risk.

This bill enables restraining orders to be issued when threats are aimed at groups of employees at a workplace, rather than targeting individuals. It is a sensible solution that equips employers with the necessary tools to act swiftly, protect their workforce, and prevent violence before it occurs."

Arguments in Support

The Association of California School Administrators, sponsor of the bill, states, "Regrettably, school employees throughout California are the target of credible threats of violence through verbal exchanges, physical interactions, and written communication including emails and online postings. This may come from parents, students, other employees or members of the community who are not associated with the school. Under current law, employers may petition for a temporary restraining order, but a specific individual must be named in that process. This creates a challenge when the threat speaks to a location (such as a school campus or district office) or a group of employees (coaches) and not an individual.

Local educational agencies have tried alternative methods in their petitions to the courts to match their circumstances to the existing forms but those are not always successful, leaving the presence of potential danger unchecked. AB 1961 would address this problem by adding to the definition of "employee" under Code of Civil Procedure Section 527.8 "reasonable identifiable groups or class of employees" who are the subject of a credible threat of violence.

Recent state laws have acknowledged the need for intervention when threats target not an individual but rather groups of employees based on the location, types of programs offered, services provided, standards of practice, or mission and values of the worksite, be it actual or perceived by the source of the threat. AB 1961 offers an additional tool to address a threat and mitigate additional or advanced threats, or even worse, when those threats of violence turn into acts."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee,

- 1) Ongoing cost pressures of an unknown amount, potentially in excess of \$150,000, to the courts in additional workload to hear and adjudicate additional WVRO requests and misdemeanor offenses for violations of such orders (General Fund (GF) or Trial Court Trust Fund (TCTF)). It is unclear how many additional WVROs may be filed and violated statewide and how much court time may be needed to adjudicate each related case, but it generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court funding from the GF. The state budget provides annual GF backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in fiscal year 2025-26.

- 2) Minor and absorbable costs to the Judicial Council to modify related WVRO forms over the course of one year.

VOTES

ASM LABOR AND EMPLOYMENT: 7-0-0

YES: Ortega, Lackey, Chen, Elhawary, Kalra, Lee, Ward

ASM JUDICIARY: 12-0-0

YES: Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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