

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 2179 (Patel)
Version: June 1, 2026
Hearing Date: June 9, 2026
Fiscal: Yes
Urgency: No
AWM

SUBJECT

Workplace violence: restraining orders

DIGEST

This bill requires a court, beginning July 1, 2027, to permit electronic filings and remote appearances in proceedings for a workplace violence restraining order, and requires the Judicial Council of California to develop the necessary forms and rules to implement those requirements on or before January 1, 2028.

EXECUTIVE SUMMARY

Current law authorizes an employer or collective bargaining representative to petition for a civil restraining order from a court for an employee who has suffered harassment, violence, or a credible threat of violence at the workplace. The court can issue a TRO on an ex parte basis, and then may enter a restraining order after the respondent has been given notice and an opportunity to be heard. To enter a restraining order after hearing, the court must find, by clear and convincing evidence, that the respondent engaged in harassment or unlawful violence, or made credible threats of violence; upon making this finding, the court has significant discretion to apply the order broadly, including to cover other employees at the same workplace or workplaces as the affected employee, and family members of the threatened employees. The initial order can last for up to three years, and can be renewed for up to three additional years.

This bill requires a court, beginning July 1, 2027, to permit electronic filings and remote appearances in proceedings for a workplace violence restraining order, and requires the Judicial Council of California to develop the necessary forms and rules to implement those requirements on or before January 1, 2028. These measures bring the workplace violence restraining order statute into conformity with other civil protective order regimes.

This bill is sponsored by the City of Carlsbad and the Diego County District Attorney, and is supported by the California District Attorneys Association; the California State Association of Counties; CFT – A Union of Educators & Classified Professionals, AFT, AFL-CIO; the California Hospital Association; and the City of San Marcos. The Committee has not received timely opposition to this bill.

PROPOSED CHANGES TO THE LAW

Existing law:

1) Defines the following relevant terms:

- a) “Course of conduct” is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an employee to or from the place of work; entering the workplace; following an employee during hours of employment making telephone calls to an employee; or sending correspondence to an employee by any means.
- b) “Credible threat of violence” is a knowing and willful statement or course of conduct that would place a reasonable person in fear for their safety, or the safety of their immediate family, and that serves no legitimate purpose.
- c) “Employer” and “employee” have the same meaning as in Section 350 of the Labor Code”; “employer” also includes government entities; and “employee” also includes members of boards, appointed public officers, volunteers, and independent contractors performing services for the employer at the employer’s worksite.
- d) “Harassment” is a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose. The course of conduct must be that which would cause a reasonable person to suffer emotional distress and must actually cause substantial emotional distress.
- e) “Unlawful violence” is assault or battery, as defined, but does not include lawful acts of self-defense or defense of others. (Code Civ. Proc., § 527.8(b).)

2) Permits an employer or collective bargaining unit of an employee who has suffered harassment, unlawful violence, or a credible threat of violence from any individual, that can reasonably be construed to be carried out or to have been carried out at the workplace, to seek a TRO or order after hearing on behalf of the employee and, at the discretion of the court, any number of other employees at the workplace and, if appropriate, other employees at other workplaces of the employer.

- a) A TRO or order after hearing may not be issued to prohibit speech or other activities that are constitutionally protected or otherwise protected by law.
- b) The TRO or order after hearing may, on a showing of good cause, include other named family or household members, or other persons employed at the employee’s workplace or workplaces. (Code Civ. Proc., § 527.8(a), (c), (d).)

- 3) Requires an employer or collective bargaining representative, prior to filing a petition for an order under 2), to provide the employee who has suffered harassment, unlawful violence, or a credible threat of violence an opportunity to decline to be named in the TRO; an employee's request not to be named does not prohibit an employer or representative from seeking a TRO on behalf of other employees at the workplace or, if appropriate, at another of the employer's workplaces. (Code Civ. Proc., § 527.8(e).)
- 4) Permits a petitioner to obtain a TRO under 2) if the petitioner files a declaration that establishes, to the satisfaction of the court, one of the following:
 - a) Reasonable proof that an employee has suffered unlawful violence or a credible threat of violence by the respondent, and that great or irreparable harm would result to an employee.
 - b) Clear and convincing evidence that: (1) the employee has suffered harassment by the respondent; (2) that great or irreparable harm would result to an employee; (3) that the course of conduct at issue serves no legitimate purpose; and (4) that the issuance of the order is not prohibited by 2)(a). (Code Civ. Proc., § 527.8(f).)
- 5) Requires a request for a TRO under 2) to be granted or denied on the same day that the petition is submitted to the court, unless the petition is filed too late to permit effective review, in which case the order shall be granted or denied on the next day of judicial business in sufficient time for the order to be filed that day with the clerk of the court. (Code Civ. Proc., § 527.8(g).)
- 6) Requires the respondent to be personally served with a copy of the petition, TRO, if any, and notice of hearing on the petition, at least five days before the hearing in 7), below. If, however, the respondent has not been served personally but has received actual notice of the existence and substance of the order through personal appearance, no additional proof of service is required. (Code Civ. Proc., § 527.8(n), (r).)
- 7) Provides that a TRO granted under 2) shall remain in effect, at the court's discretion, for a period not to exceed 21 days, and the court must hold a hearing on the petition before the expiration of the TRO.
 - a) The court may, for good cause, extend the time for hearing to 25 days.
 - b) The respondent may file a response to the petition prior to the hearing.
 - c) The respondent is entitled, as a matter of course, to one continuance, for a reasonable period, to respond to the petition.
 - d) Either party may request a continuance of the hearing, which the court shall grant on a showing of good cause; the TRO shall be extended for the duration of the continuance.
 - e) At the hearing, the judge shall receive any testimony that is relevant and may make an independent inquiry. (Code Civ. Proc., § 527.8(h)-(k), (p), (q).)

- 8) Requires the court, if the hearing under 7) establishes clear and convincing evidence that the respondent engaged in harassment, engaged in unlawful violence, or made a credible threat of violence, to issue an order prohibiting further harassment, unlawful violence, or threats of violence.
 - a) The order may have a duration of not more than three years, subject to termination or modification by the court either on written stipulation or on the motion of a party.
 - b) The order may be renewed for a duration of not more than three years, without a showing of further harassment, unlawful, or credible threats of violence since the issuance of the order. (Code Civ. Proc., § 528.7(k), (l).)
- 9) Prohibits the subject of a protective order issued under 2) from owning, possessing, purchasing, receiving, or attempting to purchase or receive a firearm or ammunition while the order is in effect, as specified. (Code Civ. Proc., § 528.7(t).)
- 10) Provides that there is no filing fee for a petition filed under 2). (Code Civ. Proc., § 527.8(x).)

This bill:

- 1) Permits, commencing July 1, 2027, a party or witness to appear remotely at a hearing on a petition for a workplace violence restraining order.
 - a) A court may not charge a fee for a party to appear remotely at the hearing.
 - b) The superior court of each county shall develop local rules and instructions for such remote appearances, which must be posted on the court's website.
- 2) Requires a court, commencing July 1, 2027, to permit a petition for a workplace violence restraining order or other related filings to be submitted electronically.
 - a) The court shall, based on the time of receipt, act on the filings consistent with the existing timeframe for granting a TRO.
 - b) The request for order, notice of the court date, copies of the request, and the TRO, if granted, shall be provided electronically to the petitioner who electronically filed the petition, unless the petitioner notes, at the time of filing, that they will obtain physical copies of those documents from the court.
- 3) Requires the Judicial Council of California, on or before January 1, 2028, to develop the necessary forms and rules to implement 1) and 2).
- 4) Makes nonsubstantive conforming changes.

COMMENTS

1. Author's comment

According to the author:

Today, several restraining order types allow electronic petitions and remote participation, including gun violence, civil harassment, domestic violence, and elder/dependent adult protective orders, but WVRO petitioners and participants do not have the same access. Petitioners facing workplace threats or harassment lose time and incur costs traveling to court to file in person. Remote appearance options also reduce time away from work/home responsibilities and reduce the fear of being near the restrained person.

2. Background on workplace violence restraining orders

California permits a person's employer, or their collective bargaining representative, to seek a restraining order against a person who has committed violence against, threatened, or harassed an employee at the workplace.¹ A TRO may be issued on an ex parte basis following the filing of a petition, and an order after hearing may be issued after the respondent has been given a notice or opportunity to be heard.² The standard of proof is generally high: a TRO may issue on "reasonable proof" that an employee has suffered unlawful violence or a credible threat of violence at the hands of the respondent, but clear and convincing evidence is required if the petition is based on harassment; for an order issued after hearing, the violence, threat of violence, or harassment must be established by clear and convincing evidence.³

A workplace violence TRO or order after hearing bars the respondent from the location where the targeted employee works.⁴ At the discretion of the court, upon a showing of good cause, the order can also protect additional employees at the work site and/or employees at other of the employer's workplaces, and a TRO may also protect other named family or household members of the targeted employee.⁵ A TRO generally lasts for up to 21 days, by which point the court must hold the hearing on the petition.⁶ An

¹ Code Civ. Proc., § 527.8. The statute also applies to members of certain boards, volunteers, and independent contractors, as specified; this analysis uses "employee" to cover all of these categories. (*See id.*, § 527.8(b)(3).)

² *Id.*, § 527.8.

³ *Ibid.*

⁴ *Id.*, § 527.8(a).

⁵ *Id.*, § 527.8(a), (d).

⁶ *Id.*, § 527.8(h). The time period for the hearing may be continued, including granting the respondent one continuance as a matter of right if they request more time to respond to the petition, during which period the TRO will also be extended. (*Id.*, §§ (h), (i).)

order issued after hearing can last for up to three years and can be extended, modified, or terminated through the stipulation of the parties or by motion of either party.⁷

3. This bill permits remote appearances and electronic filings in workplace violence restraining order proceedings

Current law already permits electronic filings and remote appearances in proceedings for protective orders issued under the Domestic Violence Prevention Act,⁸ and electronic filings and remote appearances will be permitted in proceedings for civil protective orders and elder and dependent adult abuse protective orders beginning January 1, 2027.⁹ In all three case types, remote appearances and most electronic filings must be made available without charge commencing January 1, 2027.¹⁰

This bill extends similar electronic filing and remote appearance requirements to workplace violence restraining orders, beginning July 1, 2027. Specifically, the bill requires, beginning July 1, 2027, all of the following:

- Parties, witnesses, and support persons must be permitted to appear remotely at the hearing on a petition for a workplace violence restraining order, and the court may not charge a fee for a party to appear remotely.
- A court must permit a workplace violence restraining order, and any filings related to such a petition, to be filed electronically, and must act on the petition based on the time of receipt.
- A court must provide a petitioner who files electronically with specified documents—including documents to be served on the respondent—through electronic means, unless the petitioner requests physical documents at the time of filing.

The bill also requires courts to develop local rules necessary to implement the remote appearance provisions, and requires the Judicial Council of California, on or before January 1, 2028, to develop the necessary rules and forms to implement the remote appearance and electronic filing provisions.

4. Arguments in support

According to the City of Carlsbad:

California law currently allows employers (and, in certain cases, authorized collective bargaining representatives) to seek workplace violence restraining orders when an employee has suffered unlawful violence, harassment, or a credible threat

⁷ *Id.*, § 527.8(l).

⁸ Fam. Code, §§ 6307, 6308.

⁹ Code Civ. Proc., § 527.6(i)(2), (y); Welf. & Inst. Code, § 15657.03(k)(2), (r)(2).

¹⁰ *See* Fam. Code, §§ 6307, 6308; Code Civ. Proc., § 527.6(i)(2), (y); Welf. & Inst. Code, § 15657.03(k)(2), (r)(2).

of violence that could reasonably be carried out at the workplace. However, the process can still require in-person participation and paper-based steps that create unnecessary barriers — especially for employees and witnesses who may fear retaliation, lack transportation, cannot easily take time off work, or face safety concerns traveling to and from court.

AB 2179 would permit any party or witness in a workplace violence restraining order proceeding to appear remotely at the hearing. It would also ensure courts do not charge a fee for participating remotely and would require courts to allow electronic submission of filings related to these protective orders, improving timely access to the court process.

AB 2179 supports workplace safety by making restraining order proceedings more accessible and safer to navigate. By reducing practical barriers to participation, the bill can help ensure the court receives the information it needs while minimizing disruption to work and reducing safety risks for parties and witnesses.

SUPPORT

City of Carlsbad (co-sponsor)

San Diego County District Attorney's Office (co-sponsor)

California District Attorneys Association

California State Association of Counties

CFT – A Union of Educators & Classified Professionals, AFT, AFL-CIO

California Hospital Association

City of San Marcos

OPPOSITION

None received

RELATED LEGISLATION

Pending legislation:

AB 1961 (Ahrens, 2026) authorizes an employer to seek a workplace violence restraining order for an entire workplace, without naming a specific employee, if harassment, unlawful violence, or a credible threat of violence is directed at an entire workplace or location. AB 1961 is pending before this Committee.

AB 1753 (Stefani, 2026) among other things, provides that a party, support person, or witness may appear remotely at a hearing on a petition for a workplace violence protection order; that no fee may be charged for a remote appearance; and that the

superior court of each county must develop local rules and instructions for such remote appearances. AB 1753 is pending before the Public Safety Committee.

AB 824 (Stefani, 2025) among other things, makes the same changes to the workplace violence prevention order statute as AB 1753 (Stefani, 2026). AB 824 is pending before the Senate Appropriations Committee.

Prior legislation:

AB 561 (Quirk-Silva, Ch. 267, Stats. 2025) permitted, beginning January 1, 2027, civil protection order petitions and elder or dependent adult abuse protective orders to be filed electronically, and for parties to appear remotely in hearings on those petitions.

SB 553 (Cortese, Ch. 289, Stats. 2023) authorized collective bargaining representatives to seek workplace violence restraining orders on behalf of employees.

PRIOR VOTES:

Assembly Floor (Ayes 70, Noes 0)
Assembly Appropriations Committee (Ayes 13, Noes 0)
Assembly Judiciary Committee (Ayes 12, Noes 0)
