
THIRD READING

Bill No: AB 2179
Author: Patel (D), et al.
Amended: 8/21/26 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 12-0, 6/9/26

AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, Laird, Reyes,
Valladares, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Stern

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 70-0, 5/7/26 - See last page for vote

SUBJECT: Workplace violence: restraining orders

SOURCE: City of Carlsbad
San Diego County District Attorney's Office

DIGEST: This bill requires a court, beginning January 1, 2028, 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.

Senate Floor Amendments of 8/21/26 add additional language to this bill's contingent enactment language to conform to recent amendments to AB 1961 (Ahrens, 2026).

ANALYSIS:

Existing law:

- 1) 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 temporary restraining order (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 of Civil Procedure [Code Civ. Proc.], § 527.8(a), (c), (d).)
- 2) Requires an employer or collective bargaining representative, prior to filing a petition for an order under 1), 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).)
 - 3) Permits a petitioner to obtain a TRO under 1) 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 1)(a). (Code Civ. Proc., § 527.8(f).)
 - 4) 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).)
 - 5) 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 6), 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).)

- 6) Provides that a TRO granted under 1) 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).)
- 7) Requires the court, if the hearing under 6) 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).)
- 8) 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).)
- 9) Provides that there is no filing fee for a petition filed under 2). (Code Civ. Proc., § 527.8(x).)

This bill:

- 1) Permits, commencing January 1, 2028, 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 January 1, 2028, 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.
- 5) Incorporates chaptering-out language to avoid a conflict with AB 1961 (Ahrens, 2026).

Comments

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 January 1, 2028, 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 that date. These measures bring the workplace violence restraining order statute into conformity with other civil protective order regimes.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 8/20/26)

City of Carlsbad (co-source)

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

California District Attorneys Association

California Hospital Association

California State Association of Counties

California State University

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

City of San Marcos

OPPOSITION: (Verified 8/20/26)

None received

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 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.

ASSEMBLY FLOOR: 70-0, 5/7/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Bonta, Chen, Flora, Hart, Hoover, Petrie-Norris, Celeste Rodriguez, Wallis, Wicks

Prepared by: Allison Whitt Meredith / JUD. / (916) 651-4113
8/24/26 14:08:10

**** END ****