
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 824 (Stefani) - Protective orders: firearms and ammunition

Version: June 19, 2025

Urgency: No

Hearing Date: August 18, 2025

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

Mandate: Yes

Consultant: Liah Burnley

Bill Summary: AB 824 requires a person subject to a specified restraining or protective order to relinquish any ammunition the person owns or possesses.

Fiscal Impact:

- Local costs, possibly reimbursable by the state (local funds, 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.
- Cost pressures (Trial Court Trust Fund, General Fund) of an unknown amount to the courts due to longer hearings to adjudicate issues relating to ammunition. Actual costs will depend on the number of affected petitions and the amount of court time needed to resolve each case. Additional, likely minor costs to Judicial Council to update its to develop local rules and instructions for remote appearances for hearings on petitions for workplace violence restraining orders or school violence restraining orders. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund.

Background: In 2022, the Legislature strengthened the firearm relinquishment procedures. Specifically, legislation required courts to provide information about how any firearms or ammunition still in the restrained party's possession are to be relinquished, according to local procedures, and the process for submitting a receipt to the court showing proof of relinquishment. If evidence of relinquishment has not been provided to the court, the court must notify law enforcement, and law enforcement must take all necessary actions to obtain the firearms and ammunition unlawfully in the possession of the restrained person. The law also required that if the court finds at a noticed hearing that the subject of the restraining order has violated the firearms prohibition, the violation shall be reported to the prosecuting attorney within two business days of the court hearing unless the respondent provides a receipt showing compliance at a subsequent hearing or by direct filing with the clerk of the court.

In 2024, the Legislature passed SB 899 (Skinner), Chapter 544, Statutes of 2024, which sought to promote uniformity of firearm relinquishment procedures by extending the

firearm and ammunition relinquishment procedures for most other restraining orders into alignment with those that exist for domestic violence restraining orders. These changes, which go into effect January 1, 2026, generally require that upon the issuance of a restraining order, the subject of the order must relinquish control of any firearms or ammunition within 24 hours, and must provide the court with proof of relinquishment within 48 hours of receiving the order. Under SB 899, the court must provide instructions to the restrained party on how to comply with these relinquishment provisions, and must notify law enforcement regarding any non-compliance. SB 899 also established a court process for determining whether a restrained party has violated the firearm restrictions associated with a restraining order. Another relevant provision of existing law requires peace officers serving a domestic violence or gun violence restraining order, or at the scene of certain domestic violence incidents, to take temporary custody of any firearm or other deadly weapon in plain sight or discovered pursuant to a search.

While some language from the these provisions refer to “firearms and ammunition,” other language, such as that relating to how a firearm may be relinquished, the consequences of violation, how relinquishment may be verified to the court, how relinquishment provisions are stated on the face of the restraining order, and other clauses, only refer to “firearms” and omit “ammunition.” This bill adds the term “ammunition” to this language to ensure that all of the provisions described above apply consistently to the possession of ammunition by a restrained party.

This bill also provides that a support person, or witness may appear remotely at a hearing on a petition for a workplace violence restraining order or a school violence restraining order, and that no fee may be charged to appear remotely. This bill also requires the superior court of each county to develop local rules and instructions for remote appearances for hearings on petitions for workplace violence restraining orders or school violence restraining orders.

Proposed Law:

- Effective July 1, 2026, states that the Legislature encourages court self-help centers and other stakeholders that provide information and safety planning support to survivors of violent, abusive, or other dangerous conduct to inform individuals considering protective or restraining orders that they may appear remotely at hearings on petitions for these orders through the use of remote technology, and that such appearances are at no charge to the petitioner.
- Provides that a party, support person, or witness may appear remotely at a hearing on a petition for a workplace violence restraining order or a school violence restraining order, and that no fee may be charged to appear remotely. This bill also requires the superior court of each county to develop local rules and instructions for remote appearances for hearings on petitions for workplace violence restraining orders or school violence restraining orders.
- Specifies that certain processes and requirements related to firearm and ammunition relinquishment ordered pursuant to a civil harassment restraining order, a workplace violence restraining order, a school violence restraining order, a criminal protection

order, or an elder abuse or dependent adult restraining order also apply to ammunition possessed or owned by the restrained party, per the following:

- A restrained party may comply with the requirement that ammunition be relinquished within 24 of being served the order by selling the ammunition to a licensed gun dealer;
 - Violations of the ammunition prohibition of any restraining order shall be reported to the prosecuting attorney in the jurisdiction where the order has been issued within two business days of the court hearing, unless the restrained party provides a receipt showing compliance at a subsequent hearing or by direct filing with the clerk of the court;
 - If the person does not file a receipt with the court within 48 hours after receiving the order for ammunition in their possession, the court must notify law enforcement;
 - The restraining order shall state on its face that the ammunition shall be relinquished to the local law enforcement agency or sold to a local gun dealer, as specified; and,
 - The restraining order requiring a person to relinquish a firearm or ammunition shall prohibit the person from possessing or controlling any ammunition for the duration of the order, as specified.
- Includes the possession of ammunition by a party subject to a civil harassment restraining order, workplace violence restraining order, school violence restraining order, criminal protection order, elder abuse or dependent adult restraining order or GVRO into provisions of existing law setting forth the process that a court must follow in determining whether violations of relinquishment requirements have occurred, per the following:
 - When relevant information is presented to the court at any noticed hearing that a restrained person has ammunition, the court shall consider that information to determine, by a preponderance of the evidence, whether the person subject to a restraining order has ammunition in, or subject to, their immediate possession or control in violation of the order;
 - In making this determination, the court may consider whether the restrained person filed an ammunition relinquishment, storage or sales receipt, or if an exemption from the ammunition prohibition was granted;
 - If the court makes a determination that the restrained person has ammunition in violation of the order, the court must make a written record of the determination, as specified;
 - This bill provides that a peace officer shall take temporary custody of any ammunition in plain sight or discovered pursuant to a consensual or otherwise lawful search as necessary for the protection of the peace officer or other persons present in any of the following circumstances:

- The peace officer is at the scene of a domestic violence incident involving a threat to human life or a physical assault;
 - The peace officer is serving a DVRO; and,
 - The peace officer is serving a GVRO;
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- Provides that, for purposes of the process a court must follow in determining whether the person subject to a relinquishment order related to specified restraining orders has violated that order, the definition of firearm includes the frame or receiver of the weapon, including both a completed frame or receiver, or a firearm precursor part.
 - Provides that violations of the ammunition prohibition of any GVRO shall be reported to the prosecuting attorney in the jurisdiction where the order has been issued within two business days of the court hearing unless the restrained party provides a receipt showing compliance, and that if the person does not file a receipt within 48 hours after receiving the order for ammunition in their possession, the court must notify law enforcement.

Related Legislation:

- AB 451 (Petrie-Norris) would require specified law enforcement agencies to develop and implement policies and standards for enforcing firearm relinquishment required by restraining and protective orders. AB 451 is pending in this Committee.
- AB 561 (Quirk-Silva) would eliminate filing fees for certain protective and restraining order petitions and require courts to permit remote appearances for related hearings free of charge. AB 561 is pending in this Committee.

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