UNFINISHED BUSINESS

Bill No: SB 1374
Author: Niello (R), et al.
Amended: 8/20/26
Vote: 21

SENATE JUDICIARY COMMITTEE: 12-0, 3/24/26
AYES: Umberg, Niello, Allen, Caballero, Durazo, Laird, Reyes, Stern, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Ashby

SENATE EDUCATION COMMITTEE: 7-0, 4/22/26
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Reyes

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SENATE FLOOR: 38-0, 5/26/26
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Durazo, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Dahle, Gonzalez

ASSEMBLY FLOOR: 79-0, 8/26/26 - See last page for vote

SUBJECT: Restraining orders: educational institutions

SOURCE: California State University, Office of the Chancellor

DIGEST: This bill authorizes a chief administrative officer of a postsecondary educational institution, or a designated officer or employee, to seek a temporary restraining order and an order after hearing on behalf of the institution in order to maintain order on the school campus or facility which is subject to unlawful

violence or a credible threat of violence directed towards the postsecondary educational institution.

Assembly Amendments requires the Judicial Council, on or before January 1, 2028, to adopt or modify forms, as specified, make the provisions of the bill operative on July 1, 2029, and make chaptering out amendments.

ANALYSIS:

Existing law:

1) Defines the following relevant terms:
   a) "Chief administrative officer" means the principal, president, or highest-ranking official of a postsecondary educational institution.
   b) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including (1) following or stalking to or from school; (2) entering the school campus or facility; (3) following a student during school hours; (4) making telephone calls to a student; and (5) sending correspondence to a student by any means.
   c) "Credible threat of violence" means 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.
   d) "Petitioner" means the chief administrative officer, or their designee, who files a petition under 2).
   e) "Postsecondary educational institution" means an institution of vocational, professional, or postsecondary education.
   f) "Respondent" means the person against whom the temporary restraining order and order after hearing are sought and, if the petition is granted, the restrained person.
   g) "Student" means an adult currently enrolled in or applying for admission to a postsecondary educational institution.
   h) "Temporary restraining order" and "order after hearing" mean orders that include any of the following restraining orders, whether issued ex parte, or after notice and hearing:
      i. An order enjoining a party from harassing, intimidating, molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, abusing, telephoning, including making annoying telephones as defined, destroying personal property, contacting (directly or

indirectly), or coming within a specified distance of, or disturbing the peace of, the student.

ii. An order enjoining a party from specified behavior that the court determines is necessary to effectuate orders described in (g)(i).

i) "Unlawful violence" means any assault or battery, or stalking as defined, but does not include lawful acts of self-defense or defense of others. (Code of Civil Procedure (Code Civ. Proc.) § 527.85(b).)

2) Permits a chief executive officer of a postsecondary educational institution, or an officer or employee designated by the chief executive officer, to seek a temporary restraining order and an order after hearing on behalf of the student, as follows:
   a) The student must have suffered a credible threat of violence made off the school campus or facility from any individual which can reasonably be construed to be carried out or to have been carried out at the school campus or facility.
   b) The chief executive officer or their designee must obtain the written consent of the student.
   c) The chief executive officer or their designee may, at the discretion of the court, seek a temporary order or order after hearing on behalf of any other students at the campus or facility who are similarly situated.
   d) The court may not issue a temporary restraining order or order after hearing prohibiting speech or other activities that are constitutionally protected.
   e) In the discretion of the court, for good cause shown, a temporary restraining order or order after hearing may include other named family or household members of the student, or other students at the campus or facility. (Code Civ. Proc., § 527.85(a), (c), (d).)

3) Establishes procedures and timelines for obtaining a temporary restraining order or order after hearing under 2), as provided. (Code Civ. Proc., § 527.85(e)-(k), (m), (o), (p).)

4) Provides that a person who is subject to a protective order issued under 3) cannot own, possess, receive, purchase, receive, or attempt to purchase or receive a firearm or ammunition while the protective order is in effect. (Code Civ. Proc., § 527.9.)
   a) The court shall order a person subject to a protective order to relinquish any firearms or ammunition they own or possess pursuant to the provisions set forth in Code of Civil Procedure Section 527.9.

b) Any person who owns, possesses, purchases, or receives, or attempts to purchase or receive, a firearm or ammunition while the protective order is in effect is punishable as a crime. (Penal Code § 29825.)

5) Provides that nothing in 2) through 4) prevents either party from representation by private counsel or from appearing on their own behalf. (Code Civ. Proc., § 527.85(l).)

This bill:

1) Permits a chief executive officer of a postsecondary educational institution, or an officer or employee designated by the chief executive officer, to seek a temporary restraining order and an order after hearing on behalf of the institution, and at the discretion of the court, any property of the campus or facility which are owned by the institution.

2) Expands the definition of "course of conduct" to include making telephone calls to the school campus or facility and sending correspondence to a chief administrative officer by any means, including, but not limited to, the use of public or private mails, interoffice mail, facsimile, or computer email.

3) Provides that a "temporary restraining order" and "order after hearing" may include an order enjoining a party from: harassing; intimidating; attacking; striking; stalking; threatening; telephoning, including, but not limited to, making annoying telephone calls as defined; destroying property; contacting, either directly or indirectly, by mail or otherwise; or coming within a specified distance of a school campus or facility.

4) Requires the Judicial Council, on or before January 1, 2028, to adopt or modify forms, as specified.

5) Make the provisions of the bill operative on July 1, 2029.

6) Makes clarifying changes and chaptering out amendments.

Comments

A 2025 report from the Homeland Security Operational Analysis Center (HSOAC) shows campus crime at institutions of higher education across the U.S. has returned to pre- COVID-19 pandemic levels. The sponsor and author of this bill note that threats can cause disruptions during key academic deadlines, such as

during finals or midterm exams. For example, in 2018 California State University, Northridge (CSUN) received alleged threats to campus during finals week in December, which resulted in alternative arrangements needing to be made that did not require students to be on campus during finals week.[1] In February of this year, California State University, Bakersfield (CSUB) received an anonymous call alleging that someone was going to shoot people at the school and blow themselves up, which led to fear and panic for the campus community and a campus-wide lockdown that asked staff and students to shelter in place.[2] According to the author and sponsor, a troubling incident that occurred at San Diego State University (SDSU) highlights why this bill is needed. They report:

> In March 2024, Student A began posting on SDSU-restricted online platforms. These posts contained violent, sexual, and concerning content and were forwarded to University Police Department (UPD) by a student. UPD's Threat Management Team (TMT) was notified, and monitoring began. Additionally, coordination with local law enforcement for monitoring began. In 2025, SDSU worked with the FBI on the case, as the student was serving in the U.S. Marine Corps Reserve. Since the threats were not specifically directed at an individual student or employee at SDSU, [SDSU] did not have the ability to have a long-term restraining order issued against the student. The student was suspended from SDSU, and the suspension was upheld. And in SDSU's experience, the District Attorney and City Attorney do not always request a criminal restraining order even when specifically asked to include it as part of the prosecution.

In the example above no specific student or employee was targeted—but the campus generally— and therefore SDSU was unable to use existing Code of Civil Procedure Sections 527.8 or 527.85 to obtain a restraining order against the former student from entering campus.

In 2009, the Legislature enacted SB 188 (Runner, Chapter 566, Statutes of 2009), which allowed the chief executive officer of a private postsecondary educational institution to seek a protective order---including a temporary restraining order or an order after hearing—on behalf of a student who has experienced an off-campus threat of on-campus violence.[3] The bill originated from a school at which a former student was harassing current students; the school was told that there was no way for the school to obtain a protective order for the campus as a whole, and that it instead would have to seek 375 separate protective orders to prevent the former

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[1] CSUN, *Updates in Response to Threats to Campus,* available at https://www.csun.edu/president/news/updates-response-threats-campus.
[2] CSUB, Instagram, (Feb. 2, 2026), available at https://www.instagram.com/p/DURkJ7jgTvQ/?hl=en.
[3] *See* Code Civ. Proc., § 527.85.

student from entering the campus.[4] The bill was modeled after existing provisions allowing an employer to seek a protective order on behalf of an employee who suffered a credible threat of violence that could be construed to be carried out at the workplace.[5]

The protective order provision established in SB 188 is more limited in scope than protective order regimes that allow the victim themselves to seek an order. A chief executive officer may file a petition on behalf of a student only if the student suffered a credible threat of violence made off-campus and the threat can be reasonably construed to be carried out, or to have been carried out, on campus.[6] In other words, an officer cannot seek a protective order on behalf of a student for any harassment the student might be suffering; the officer is limited to seeking a protective order in response to a credible threat of violence that could occur on the campus or facility. Additionally, an officer may not seek an order on behalf of an unwilling student—the officer must obtain the written consent of the student before seeking a protective order.[7] A person subject to a temporary restraining order or injunction under these provisions is required to relinquish firearms and ammunition under Code of Civil Procedure Section 527.9.

In 2024, these provisions were expanded to include public institutions in AB 2096 (Petrie-Norris, Chapter 947, Statutes of 2024). AB 2096 also expanded the conduct under which a restraining order can be sought to include unlawful violence.

The procedure for obtaining a protective order under this provision is also slightly more permissive towards the respondent than, say, the Domestic Violence Prevention Act (DVPA). A respondent may obtain a continuance of the hearing for a reasonable time to respond to the petition as a matter of course.[8] A protective order issued after hearing may run for only three years initially, rather than the five years permitted under the DVPA.[9] The scope of a protective order, however, is similar to those permitted under other regimes; a respondent may be prohibited from engaging in a range of activity to harass or intimidate the subject of the order, and, consistent with other protective order regimes, a respondent is prohibited from possessing firearms or ammunition for the duration of the order.[10]

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[4] Sen. Com. on Judiciary, Analysis of SB 188 (2009-2010 Reg. Sess.) as introduced, p. 1.
[5] *See* Code Civ. Proc., § 527.8.
[6] *Id.*, Code Civ. Proc., § 527.85(a).
[7] *Ibid.*
[8] *Id.*, Code Civ. Proc., § 527.85(o)
[9] *Id.*, Code Civ. Proc., § 527.85(k).
[10] *Id.*, Code Civ. Proc., § 527.85(b); *see Id.*, Code Civ. Proc., § 527.9.

This bill, effective January 1, 2029, expands the existing provisions of Code of Civil Procedure Section 527.85 to authorize a chief administrative officer of a postsecondary educational institution, or a designated officer or employee, to seek a temporary restraining order and an order after a hearing on behalf of the institution itself in order to maintain order on the school campus or facility when it is subject to unlawful violence or a credible threat of violence towards the campus.

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

SUPPORT: (Verified 8/24/26)

California State University, Office of the Chancellor (source)
Association of Independent California Colleges & Universities
San Diego County District Attorney's Office
San Diego State University
The California Baptist Capito Ministry
University of California

OPPOSITION: (Verified 8/24/26)

None received

ARGUMENTS IN SUPPORT: The author writes:

> SB 1374 empowers higher education institutions to provide safer communities by providing an additional preemptive measure to deter threats by permitting restraining orders on behalf of the institution itself when threats are made towards a campus. This bill will provide a crucial tool to ensure institutions are able to maintain safe learning environments.
>
> When institutions are targeted with threats, the resulting lockdowns, disruptions, and fear undermine students' ability to learn and faculty's ability to teach. SB 1374 will help campuses maintain a safe, stable environment by allowing them to seek timely court orders that can deter or restrict dangerous conduct before it reaches the classroom, residence hall, or campus event.
>
> Campus leaders are responsible for safeguarding thousands of students, faculty, and staff, yet under existing law they lack clear standing to obtain civil protective orders when the institution itself is the target. SB 1374 provides a clear, court supervised mechanism to intervene early, before threats escalate into acts of violence on campus.

The California State University, Office of the Chancellor, source of this bill, writes:

> The California State University (CSU) is pleased to sponsor and support Senate Bill 1374 […] While current law allows institutions to seek restraining orders on behalf of students or an employee who receives threats, it does not clearly authorize institutions to seek similar protection when threats are directed at the institution itself.

In a time of increasing threats and harassment aimed at universities and other institutions, the gap in current law limits CSU's ability to respond swiftly and effectively. By authorizing chief administrative officers to seek restraining orders on behalf of the institution, SB 1374 ensures that institutions and the courts can intervene when unlawful violence or credible threats target the broader campus community. This bill serves as a critical preemptive measure by allowing institutions to intervene at the point of credible threats or escalating harassment before conduct turns into physical violence, unlawful acts, or irreversible harm to students, staff, or campus operations.

ASSEMBLY FLOOR: 79-0, 8/26/26
AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Amanda Mattson / JUD. / (916) 651-4113
11/12/26 16:53:49

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