



Judicial Council of California

Please visit
courts website:
www.courts.ca.gov
to view live meeting on
May 17, 2024

Subject Details (With Text)

Meeting materials
are available through

File #: 19-219 **Version:** 1
Type: Legislative Proposal **Status:** Passed
File created: 8/9/2019 **In control:** Judicial Council
On agenda: 11/14/2019 **Final action:** 11/14/2019
Title: Judicial Council-Sponsored Legislation | Temporary Emergency Gun Violence Restraining Order (Action Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 20191114-19-219

Date	Ver.	Action By	Action	Result
11/14/2019	1	Judicial Council	approved	Pass

Title

Judicial Council-Sponsored Legislation | Temporary Emergency Gun Violence Restraining Order (Action Required)

Summary

The Policy Coordination and Liaison Committee and Civil and Small Claims Advisory Committee, at the suggestion of several courts, recommend that the Judicial Council sponsor legislation amending Penal Code section 18140 to add a time frame of as soon as practicable but not later than three court days after issuance for a law enforcement officer to file a copy of a temporary emergency gun violence restraining order with the court. This change will ensure that the court receives the emergency order with sufficient time to set and notice a hearing within 21 days, as required by newly enacted Penal Code section 18148.

Recommendation

The Policy Coordination and Liaison Committee and Civil and Small Claims Advisory Committee recommend that the council sponsor legislation to amend Penal Code section 18140, effective January 1, 2021, to add a time frame of as soon as practicable but not later than three court days after issuance for a law enforcement officer to file a copy of a temporary emergency gun violence restraining order with the court.