



Judicial Council of California

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January 19, 2024

Subject Text

Meeting materials
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File #: 19-219, **Version:** 1

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.