



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-451 Law enforcement policies: restraining orders. (2025-2026)

SHARE THIS:  

Date Published: 10/14/2025 02:00 PM

Assembly Bill No. 451

CHAPTER 693

An act to add Section 13667 to the Penal Code, relating to law enforcement.

[Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 451, Petrie-Norris. Law enforcement policies: restraining orders.

Existing law requires law enforcement agencies to maintain policies on specified subjects, including, among others, the use of force, gun violence restraining orders, and responding to domestic violence calls.

This bill would require each municipal police department and county sheriff's department, the Department of the California Highway Patrol, and the University of California and California State University Police Departments to, on or before January 1, 2027, develop, adopt, and implement written policies and standards to promote safe, consistent, and effective service, implementation, and enforcement of court protection and restraining orders that include firearm access restrictions. The bill would require these policies and standards to, among other things, provide a standard agency process for law enforcement to serve an order against a restrained person in a timely manner and ensure the agency consistently complies with specified requirements under California law governing service of protection and restraining orders. By expanding the duties of local law enforcement, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13667 is added to the Penal Code, to read:

13667. (a) Each municipal police department and county sheriff's department, the Department of the California Highway Patrol, and the University of California and California State University Police Departments shall, on or before January 1, 2027, develop, adopt, and implement written policies and standards to promote safe, consistent, and effective service, implementation, and enforcement of court protection and restraining orders that include firearm access restrictions, including, but not limited to, civil harassment restraining orders, criminal protective orders, domestic violence restraining orders, emergency protective orders, juvenile restraining orders, postsecondary school violence restraining orders, workplace violence restraining orders, and elder or

dependent adult abuse restraining orders other than orders described in paragraph (4) of subdivision (u) of Section 15657.03 of the Welfare and Institutions Code related to financial abuse.

(b) The policies and standards developed pursuant to this section shall ensure that the agency consistently complies with the requirements of California laws governing service and enforcement of protection and restraining orders and governing relinquishment of firearms by individuals who are armed and subject to those court orders, including new mandates and responsibilities placed on law enforcement agencies pursuant to Chapter 242 of the Statutes of 2023 and Chapter 544 of the Statutes of 2024.

(c) In developing these policies and standards, the law enforcement agency shall also review and update existing protocols, policies, or standards pertaining to protection or restraining orders and law enforcement responses to domestic violence incidents to ensure these relevant protocols, policies, and standards are consistent with one another and current law and to ensure that they provide consistent and accessible guidance to law enforcement officers.

(d) The policies and standards shall provide a standard agency process for law enforcement to serve the order against a restrained person in a timely manner and ensure the agency consistently complies with the requirements of California law governing service of protection and restraining orders, including pursuant to Section 6383 of the Family Code and Section 527.12 of the Code of Civil Procedure. These policies and standards shall ensure that officers who have served protection or restraining orders consistently accomplish all of the following steps as soon as possible and within one business day of serving the order:

(1) Completing the appropriate proof of service form developed by the Judicial Council for the protection or restraining order.

(2) Filing the proof of service form with the court.

(3) Ensuring proof of service information is entered into the California Restraining and Protective Order System through the California Law Enforcement Telecommunications System to record that the order has been served on the restrained person.

(e) The policies and standards shall ensure that officers effectuate firearm relinquishment at the time of service by requesting, at the time of service, that the restrained person immediately and safely relinquish to the officer's control any firearms, ammunition, body armor, and other prohibited items in the restrained person's possession or control, or subject to the restrained person's possession or control. The policies and standards should ensure officers consistently accomplish the following steps upon serving a protection or restraining order:

(1) Notify the restrained person that they are required to immediately transfer all firearms and prohibited items they possess or control to the officer serving the order.

(2) Request that the restrained party immediately transfer to the officer, safely and unloaded, any firearms or other prohibited items they possess or control.

(3) Conduct a lawful search as necessary for the protection of the officer or other individuals present and take custody of any firearms or other prohibited items in plain sight or discovered pursuant to the lawful search.

(4) Complete the appropriate proof of firearm relinquishment form developed by the Judicial Council that serves as the receipt to document relinquished firearms and other prohibited items and issue the receipt form to the restrained person.

(5) Ensure the Automated Firearms System is updated to record any firearms that the restrained person relinquished to the law enforcement officer.

(6) Determine whether the restrained person possesses or controls other firearms that they have not relinquished to the officer. In making such a determination, the officer should be instructed to consider all relevant information, to the extent possible, including by reviewing the protection or restraining order to determine if the court made a finding that the restrained person has firearms, querying the Automated Firearms System to determine whether the restrained person is recorded as having legally acquired firearms in that database, and asking the restrained person or, if it is safe to do so, other persons present.

(f) The policies and standards shall do all of the following:

(1) (A) Provide a standard agency process for officers to promote firearm relinquishment compliance in circumstances where a restrained person owns, possesses, or controls firearms but credibly indicates that they cannot relinquish all firearms at the time of service, including circumstances where those firearms are stored in another location.

(B) The process in subparagraph (A) shall instruct officers to provide accessible local information about how the restrained person can lawfully comply with the court order by relinquishing possession or control of all firearms and other prohibited items, unloaded and in a safe manner, to a local law enforcement agency or to a licensed firearm dealer within 24 hours of being served with the order and by providing the proof of relinquishment compliance receipt form to the court and to the law

enforcement agency within 48 hours or being served with the order to verify that the restrained person sold or transferred all firearms and other prohibited items that they possess or control.

(2) Instruct officers to inform the restrained person that failure to comply with the requirements and timelines in paragraph (1) may result in fines, arrest, and criminal penalties.

(3) Require officers to encourage restrained individuals to relinquish any firearms they cannot immediately relinquish to the officer through a designated third party or with law enforcement supervision to reduce the risk that the restrained person will access the firearms or other items to threaten or harm individuals protected by the court order or to otherwise harm themselves or others. The policies and standards shall encourage officers to proactively follow up with the restrained person to confirm that the restrained person relinquished all firearms and provided receipt forms verifying relinquishment within the required timeline.

(4) Instruct officers about how to respond if the restrained person credibly indicates that they do not possess or control firearms that had been associated with the restrained person in the Automated Firearms System, the court order, or other sources, including informing the restrained person to complete and submit to the court a standard form developed by the Department of Justice that declares under penalty of perjury that the restrained person is no longer in possession of one or more firearms, along with their response to the protection or restraining order and any other supporting documentation to verify that the restrained person no longer possesses or controls firearms.

(g) (1) The policies and standards shall provide a process for the agency, in coordination with court staff and other law enforcement agencies and stakeholders, to proactively identify restrained persons who are illegally armed in violation of the court order and state law.

(2) The policies and standards shall instruct officers to take one or more of the following steps, as appropriate for the circumstances, to ensure firearm relinquishment compliance and the safety of any individuals protected by the court order, if the agency receives credible information indicating that the restrained person has not relinquished all firearms or other prohibited items as required:

(A) Contact the restrained person to facilitate and verify immediate firearm relinquishment compliance.

(B) Take custody of firearms or other prohibited items at a location where there is probable cause to believe those items are located, including through a lawful search or by requesting a search warrant to search for and seize these items.

(C) Notify appropriate partners, such as court clerks, prosecutors, and petitioners or protected parties who may be in danger, that the restrained person has violated the protection or restraining order's firearm relinquishment requirements.

(D) Arrest the restrained person for violating the court order and state law.

(h) The law enforcement agency shall make the standards and policies developed pursuant to this section available to the public upon request and shall post information on the agency's website about how petitioners may request service of protection or restraining orders by that agency and how prohibited persons and other community members may relinquish firearms to the custody of the agency.

(i) In developing and updating the standards and policies developed pursuant to this section, law enforcement agencies are encouraged to consult and collaborate with domestic violence service providers and survivor advocates, gun violence prevention experts, local court staff, and guidance, technical assistance, or recommendations issued by the Department of Justice.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.