

LEGISLATIVE DIGEST

[Police Code - Gun Violence Restraining Orders]

Ordinance amending the Police Code to require peace officers who request a temporary emergency gun violence restraining order to serve and file a copy with the court no later than three days after issuance and to apply the California Penal Code provision penalizing violations of different types of gun violence restraining orders under California law to persons who are subject to parallel gun violence restraining orders issued by an out-of-state jurisdiction.

Existing Law

Currently, peace officers may use Gun Violence Restraining Orders (“GVRO”) as a tool for prohibiting and enjoining an individual from having custody or control, owning, purchasing, possessing, or receiving any firearms or ammunition when that individual poses an immediate and present danger of causing personal injury to self or others.

Amendments to Current Law

These amendments require peace officers who request a temporary emergency gun violence restraining order to serve and file a copy with the court no later than three days after issuance and to apply the California Penal Code provision penalizing violations of different types of gun violence restraining orders under California law to persons who are subject to parallel gun violence restraining orders issued by an out-of-state jurisdiction.

Background Information

These amendments update local law to conform with California state law.

n:\legana\as2020\2100100\01491111.docx