



APPENDIX

Extreme Risk Laws Save Lives – Extreme Risk Laws By State

Appendix B

4.17.2020 | Last Updated: 11.21.2022

State	Policy Name	Effective Date ¹	Who May Ask for an Extreme Risk Order: Law Enforcement	Who May Ask for an Extreme Risk Order: Family member ²	Maximum Duration of the Ex-Parte Order (Emergency Order, if applicable) ³	Duration of the Final Order	Renewal Lasts ⁴
California Cal. Penal Code § 18100, et. seq.	Gun Violence Restraining Order	January 1, 2016	✓	✓ ⁴	21 days (21 days)	1-5 years	1-5 years
Colorado CRS § 13-14.5-101, et seq.	Extreme Risk Protection Order	April 12, 2019	✓	✓	14 days	364 days	Up to 1 year
Connecticut ⁵ Conn. Gen. Stat. § 29-38c	Firearm Safety Warrant	October 1, 1999	✓ ⁶	✓ ⁷	14 days ⁸	Until terminated by the court ⁹	N/A
Delaware 10 Del. C. § 7701, et seq.	Lethal Violence Protective Order	December 27, 2018	✓	✓ ¹⁰	15 days	Up to 1 year	Up to 1 year
District of Columbia DC Code §7-2510.01, et seq.	Extreme Risk Protection Order	January 30, 2019 ¹¹	✓	✓ ¹²	14 days	1 year	1 year
Florida Fla. Stat. § 790.401	Risk Protection Order	March 9, 2018	✓		14 days	Up to 1 year	Up to 1 year
Hawaii 2019 HI Senate Bill 1466	Gun Violence Protective Order	January 1, 2020	✓	✓ ¹³	14 days	1 year	1 year
Illinois 430 ILCS §67/1, et seq.	Firearms Restraining Order	January 1, 2019	✓	✓	14 days	6 months	6 months
Indiana ¹⁴ Ind Code § 35-47-14-1, et seq.	Seizure and Retention of Firearms	July 1, 2005	✓		14 days (14 days) ¹⁵	Until terminated by the court ¹⁶	N/A
Maryland Md Public Safety Code § 5-601, et seq.	Extreme Risk Protective Order	October 1, 2018	✓	✓ ¹⁷	7 days (Earlier of exparte hearing or end of the second court day after issuance)	Up to 1 year	6 months

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Massachusetts Mass. Gen. Laws ch. 140, §§ 121, 129B(C), 131(C), 131R-Z	Extreme Risk Protection Order	August 17, 2018	✓	✓	10 days (Earlier of exparte hearing or end of the next court day after issuance)	Up to 1 year	Up to 1 year
New Jersey N.J. Stat. § 2C:58-20, et seq.	Extreme Risk Protective Order	September 1, 2019	✓	✓	10 days	Until terminated by the court ¹⁸	N/A
New Mexico N.M. Stat. Ann. § 40-17-1, et seq.	Extreme Risk Firearm Protection Order	May 20, 2020	✓ ¹⁹		10 days	Up to 1 year	Up to 1 year
New York NY CLS CPLR § 6340, et seq.	Extreme Risk Protection Order	August 24, 2019	✓	✓ ²⁰	6 days ²¹	Up to 1 year	Up to 1 year
Oregon ORS § 166.525, et seq.	Extreme Risk Protection Order	January 1, 2018	✓	✓	Up to a year unless a hearing is requested, which then must be held within 21 days. ²²	1 year	Up to 1 year
Rhode Island RI Gen Laws § 8-8.3-1, et seq.	Extreme Risk Protection Order	June 1, 2018	✓		14 days	1 year	1 year
Vermont 13 VSA § 4051, et seq.	Extreme Risk Protection Order	April 11, 2018	✓ ²³		14 days	Up to 6 months	Up to 6 months
Virginia Va. Code 19.2-152.13, et seq.	Substantial Risk Order	July 1, 2020	✓ ²⁴		14 days	Up to 180 days	Law is silent
Washington ARCW § 7.105.010, et seq.	Extreme Risk Protection Order	December 8, 2016	✓	✓	14 days	1 year	1 year

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Everytown Research & Policy is a program of Everytown for Gun Safety Support Fund, an independent, non-partisan organization dedicated to understanding and reducing gun violence. Everytown Research & Policy works to do so by conducting methodologically rigorous research, supporting evidence-based policies, and communicating this knowledge to the American public.

¹ The effective date is the date the law first took effect in the state. The law may have been subsequently amended

² Or household member.

³ In California, a judicial officer may issue a temporary emergency gun violence restraining order pursuant to specific request by a law enforcement officer. In Indiana, a law enforcement officer may seize a firearm without a warrant in certain circumstances. In Maryland, a court commissioner may issue an interim extreme risk protective order when the court is closed. In Massachusetts, a justice of the court may issue an emergency extreme risk protection order when the court is closed.

⁴ Employers, certain coworkers, certain teachers, roommates, dating partners, and a person with a child in common can also file a petition. However, only law enforcement may petition for a temporary emergency order.

⁵ Law is structured as a firearm removal by law enforcement.

⁶ State's attorney or assistant state's attorney; any two police officers.

⁷ Certain health professionals can also file a petition.

⁸ 14 days after the execution of the search warrant.

⁹ Lasts until terminated by the court after a petition and a hearing.

¹⁰ While law enforcement and family or household members may petition for a final order, only law enforcement may petition for an ex-parte order.

¹¹ Effective date of initial emergency law.

¹² Certain mental health professionals can also file a petition.

¹³ Certain medical professionals, educators, and colleagues may also file a petition.

¹⁴ Law is structured as a firearm removal by law enforcement.

¹⁵ If law enforcement seizes a firearm without a warrant, the officer must, within 48 hours, file an affidavit with the basis for the officer's belief that the individual is dangerous, which the court must review as soon as possible. The court must hold a hearing within 14 days of the filing. If law enforcement seizes a firearm pursuant to a warrant, the court must hold a hearing within 14 days of the filing of the search warrant return.

¹⁶ Lasts until terminated by the court after a petition and a hearing; petition may be made no earlier than 180 days after the final order

¹⁷ Certain health professionals can also file a petition.

¹⁸ Lasts until terminated by the court after a petition and a hearing.

¹⁹ While New Mexico's Extreme Risk law does not allow family members to petition for an Extreme Risk Firearm Protection Order directly with the court, it allows certain family members, people with close personal relationships, or school administrators ("reporting parties") to request that law enforcement file a petition for an Extreme Risk Firearm Protection Order. Law enforcement must file a petition upon receiving credible information that gives law enforcement probable cause to believe that a person poses a significant danger of causing imminent personal injury to self or others by having access to a firearm.

²⁰ School administrators and certain health professionals can also file a petition.

²¹ Business days.

²² After an ex-parte order is issued, the respondent has 30 days to request a court hearing. If a hearing is requested, it must be held within 21 days. If a hearing is not requested within 30 days, the order will be confirmed and become the final order.

²³ State's Attorney or the Office of the Attorney General.

²⁴ Attorney for the Commonwealth or a Law Enforcement Officer