

## APPENDIX B: EXTREME RISK LAWS BY STATE

State	Policy Name	Effective Date <sup>1</sup>	Who May Ask for an Extreme Risk Order		Maximum Duration of the Ex-Parte Order (Emergency Order, if applicable) <sup>2</sup>	Duration of the Final Order	Renewal Lasts for
			Law Enforcement	Family Member <sup>3</sup>			
<b>California</b> Cal. Penal Code § 18100, et. seq.	Gun Violence Restraining Order	January 1, 2016	X	X <sup>4</sup>	21 days  (21 days)	1 year	1 year
<b>Colorado</b> CRS § 13-14.5-101, et seq.	Extreme Risk Protection Order	April 12, 2019	X	X	14 days	364 days	Up to 1 year
<b>Connecticut<sup>5</sup></b> Conn. Gen. Stat. § 29-38c	Firearm Safety Warrant	October 1, 1999	X <sup>6</sup>		14 days <sup>7</sup>	Up to 1 year	Law is silent
<b>Delaware</b> 10 Del. C. § 7701, et seq.	Lethal Violence Protective Order	December 27, 2018	X	X <sup>8</sup>	15 days	Up to 1 year	Up to 1 year
<b>District of Columbia</b> DC Code § 7-2510.01, et seq.	Extreme Risk Protection Order	January 30, 2019 <sup>9</sup>	X	X <sup>10</sup>	14 days	1 year	1 year
<b>Florida</b> Fla. Stat. § 790.401	Risk Protection Order	March 9, 2018	X		14 days	Up to 1 year	Up to 1 year

State	Policy Name	Effective Date <sup>1</sup>	Who May Ask for an Extreme Risk Order		Maximum Duration of the Ex-Parte Order (Emergency Order, if applicable) <sup>2</sup>	Duration of the Final Order	Renewal Lasts for
			Law Enforcement	Family Member <sup>3</sup>			
Hawaii 2019 HI Senate Bill 1466	Gun Violence Protective Order	January 1, 2020	X	X <sup>11</sup>	14 days	1 year	1 year
Illinois 430 ILCS § 67/1, et seq.	Firearms Restraining Order	January 1, 2019	X	X	14 days	6 months	6 months
Indiana <sup>12</sup> Ind Code § 35-47-14-1, et seq.	Seizure and Retention of Firearms	July 1, 2005	X		14 days (14 days) <sup>13</sup>	Until terminated by the court <sup>14</sup>	N/A
Maryland Md Public Safety Code § 5-601, et seq.	Extreme Risk Protective Order	October 1, 2018	X	X <sup>15</sup>	7 days (Earlier of ex-parte hearing or end of the second court day after issuance)	Up to 1 year	6 months
Massachusetts Mass. Gen. Laws ch. 140, §§ 121, 129B(C), 131(C), 131R-Z	Extreme Risk Protection Order	August 17, 2018	X	X	10 days (Earlier of ex-parte hearing or end of the next court day after issuance)	Up to 1 year	Up to 1 year

State	Policy Name	Effective Date <sup>1</sup>	Who May Ask for an Extreme Risk Order		Maximum Duration of the Ex-Parte Order (Emergency Order, if applicable) <sup>2</sup>	Duration of the Final Order	Renewal Lasts for
			Law Enforcement	Family Member <sup>3</sup>			
<b>New Jersey</b> N.J. Stat. § 2C:58-20, et seq.	Extreme Risk Protective Order	September 1, 2019	X	X	10 days	Until terminated by the court <sup>16</sup>	N/A
<b>New York</b> NY CLS CPLR § 6340, et seq.	Extreme Risk Protection Order	August 24, 2019	X	X <sup>17</sup>	6 days <sup>18</sup>	Up to 1 year	Up to 1 year
<b>Oregon</b> ORS § 166.525, et seq.	Extreme Risk Protection Order	January 1, 2018	X	X	Up to a year unless a hearing is requested, which then must be held within 21 days <sup>19</sup>	1 year	Up to 1 year
<b>Rhode Island</b> RI Gen Laws § 8-8.3-1, et seq.	Extreme Risk Protection Order	June 1, 2018	X		14 days	1 year	1 year
<b>Vermont</b> 13 VSA § 4051, et seq.	Extreme Risk Protection Order	April 11, 2018	X <sup>20</sup>		14 days	Up to 6 months	Up to 6 months
<b>Washington</b> ARCW § 7.94.010, et seq.	Extreme Risk Protection Order	December 8, 2016	X	X	14 days	1 year	1 year

1. The effective date is the date the law first took effect in the state. The law may have been subsequently amended.
2. 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.
3. Or household member.
4. While law enforcement and family or household members may petition for an ex-parte or final order, 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. 14 days after the execution of the search warrant.
8. While law enforcement and family or household members may petition for a final order, only law enforcement may petition for an ex-parte order.
9. Effective date of initial emergency law.
10. Certain mental health professionals can also file a petition.
11. Certain medical professionals, educators, and colleagues may also file a petition.
12. Law is structured as a firearm removal by law enforcement.
13. 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.
14. 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.
15. Certain health professionals can also file a petition.
16. Lasts until terminated by the court after a petition and a hearing.
17. School administrators can also file a petition.
18. Business days.
19. 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.
20. State's Attorney or the Office of the Attorney General.