

Last updated 3/11/2025

| State                   | Who can Petition?   | How Long Order Lasts  | Standard of proof to obtain order   | Relinquish-ment process   | Can the court issue a seizure warrant with an order? | Early Termination of order   | Renewal   |
|-------------------------|---|---|---|---|--|--|---|
| California <sup>1</sup> | <p>Immediate family members, employers, coworkers (depending on facts), teachers and school employees (depending on facts), individuals in a dating relationship, roommates, and individuals with a child in common</p> <p>Only LE can petition for temporary orders, which can be granted at any time of the day or night.</p> | <p>Temporary:<br/>Up to 21 days</p> <p>Ex Parte:<br/>Up to 21 days</p> <p>Final:<br/>Between one and five years</p> | <p>In all cases petitioner must show the order is necessary to prevent injury under the circumstances, as well as the following:</p> <p>Temporary:<br/>Reasonable cause to believe respondent poses an immediate and present danger,</p> <p>Ex Parte:<br/>Substantial likelihood that respondent poses <i>significant danger</i> in <i>near future</i>,</p> <p>Final: Clear &amp; convincing evidence that respondent poses significant</p> | <p>Either:<br/>1) surrender immediately upon request of a LE officer, or<br/>2) sell/transfer to an LE agency or FFL dealer within 24 hours</p> <p>Respondent has 48 hours to file a receipt in court documenting surrender</p> | No   | <p>Respondent may petition once per year during order's duration</p> <p>Court shall terminate the order if there is no longer clear and convincing evidence to believe respondent satisfies the final order standard</p> | <p>Can be renewed at any time within the three months before the order expires</p> <p>Same standard and duration as final order</p> |

<sup>1</sup> Cal. Penal Code § 18100 et seq.

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|                                |   |  | danger   |   |   |   |   |
| <b>Colorado<sup>2</sup></b>    | Family, household members, and LE   | Ex Parte:<br>Up to 14 days<br><br>Final:<br>Up to one year                           | Ex Parte:<br>Preponderance of the evidence respondent poses a significant risk of causing injury<br><br>Final: Clear and convincing evidence respondent poses a significant risk of causing injury | Respondent must surrender all firearms and any CCW license to LE agency or sell/transfer firearms to a federally licensed firearms dealer<br><br>Respondent has 48 hours to file a receipt in court documenting surrender | Shall issue if probable cause to believe not all weapons were surrendered <b>after</b> service of the order | Respondent may petition once during order's duration for early termination<br><br>Respondent bear burden of proving by clear and convincing evidence they no longer pose a significant risk of causing injury   | Can be renewed at any time within the sixty-three calendar days before order expires<br><br>Same standard and duration as final order |
| <b>Connecticut<sup>3</sup></b> | State's attorney, assistant state's attorney, or by any two police officers, can petition court for an ERPO<br><br>Family, household member, or medical professional can petition court for an order to investigate whether law enforcement | Ex Parte:<br>Up to 14 days<br><br>Final Order:<br>Lasts until terminated by petition | Ex Parte:<br>Probable cause to believe respondent poses a risk of imminent injury<br><br>Final: Clear & convincing evidence respondent poses a risk of imminent injury                             | If probable cause to believe that respondent possesses firearms, judge shall issue search and seizure warrant<br><br>If firearms are ordered seized but not taken by LE, respondent may relinquish to FFL                 | Yes   | Respondent may first petition at least 180 days after the final order hearing or again after any denied petition for termination<br><br>State must prove by clear & convincing evidence that petitioner continues to pose a risk of imminent injury, or order | Does not require renewal; lasts until terminated  |

<sup>2</sup> Colo. Rev. Stat. § 13-14.5-101 et seq.

<sup>3</sup> Conn. Gen. Stat. § 29-38c.

|   | should seek an order  |   |  |  |  | terminates   |  |
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| <b>Delaware<sup>4</sup></b>             | Family, household members and LE<br><br>Only LE can petition for ex parte orders. | Ex Parte: Usually 15 days, up to 45 days<br><br>Final: One year   | Ex Parte: Preponderance of the evidence respondent poses an immediate and present danger<br><br>Final: Clear & convincing evidence respondent poses a significant danger | Respondent must relinquish firearms to LE or another individual eligible to possess firearms                                 | The court may direct LE to search for and seize firearms with service of order                                   | Respondent may petition once during order's duration for early termination<br><br>Respondent bears burden of proving by clear and convincing evidence they no longer pose a danger         | Can be renewed at any time within the three months before the order expires<br><br>Same standard and duration as final order |
| <b>District of Columbia<sup>5</sup></b> | Family, household members, mental health professionals and LE                     | Ex Parte: Not to exceed 14 days, but can renew for an additional 14 days upon a good cause showing<br><br>Final: One year | Ex Parte: Probable cause to believe respondent poses significant danger<br><br>Final: Preponderance of the evidence respondent poses significant danger                  | Respondent must relinquish all firearms, ammunition, registration certificates, licenses to carry, and dealer licenses to LE | The court may issue a concurrent warrant directing LE to search for and seize ammunition, firearms, and licenses | Respondent may petition once during order's duration for early termination<br><br>Respondent bears burden of proving by preponderance of evidence they no longer pose a significant danger | Can be renewed at any time within the 120 days before order expires<br><br>Same standard and duration as final order         |

<sup>4</sup> Del. Code Ann. tit. 10, § 7701 et seq.

<sup>5</sup> D.C. Code Ann. § 7-2510.01 et seq.

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| <p><b>Florida<sup>6</sup></b></p>  | <p>LE only</p>  | <p>Ex Parte:<br/>Up to 14 days</p> <p>Final:<br/>Up to one year</p> | <p>Ex Parte:<br/>Reasonable cause to believe respondent poses significant danger in near future</p> <p>Final:<br/>Clear and convincing evidence respondent poses significant danger</p> | <p>Immediate surrender of firearms and CCW license to local LE</p>  | <p>Issued if probable cause to believe not all weapons were surrendered <b>after</b> service of the order</p>            | <p>Respondent may petition once during order's duration for early termination</p> <p>Respondent bears burden of proving by clear and convincing evidence they no longer pose a significant danger</p> | <p>Can be renewed at any time within the 30 days before the order expires</p> <p>Same standard and duration as final order</p>        |
| <p><b>Hawai'i<sup>7</sup></b></p>  | <p>Family, household member, medical professional, educator, colleague, or LE</p> | <p>Ex Parte:<br/>Up to 14 days</p> <p>Final:<br/>Up to one year</p> | <p>Ex Parte:<br/>Probable cause to believe respondent poses an imminent danger</p> <p>Final:<br/>Preponderance of evidence respondent poses a significant danger</p>                    | <p>Court shall order voluntary surrender of all firearms and ammunition for ex parte and final orders</p> <p>LE has 72 hours following surrender to file a receipt with the court</p> | <p>Court shall issue if probable cause to believe not all weapons were surrendered <b>after</b> service of the order</p> | <p>Respondent may petition at any time during the order's duration</p> <p>Respondent bears burden of proving by preponderance of evidence they no longer pose a significant danger</p>                | <p>Can be renewed at any time within the three months before the order expires</p> <p>Same standard and duration as a final order</p> |
| <p><b>Illinois<sup>8</sup></b></p> | <p>Family, household members and LE</p>   | <p>Ex Parte:<br/>Up to 14 days</p> <p>Final:</p>                    | <p>Ex Parte:<br/>Probable cause to believe respondent</p>   | <p>Respondent must surrender FOID (Firearms ID card) and</p>  | <p>A concurrent warrant is issued if probable cause to believe</p>   | <p>Respondent may petition once during order's duration for early</p>   | <p>Can be renewed at any time within the three months before the order</p>  |

<sup>6</sup> Fla. Stat. § 790.401, et seq.

<sup>7</sup> Haw. Rev. Stat. Ann. § 134-61 et seq.

<sup>8</sup> 430 Ill. Comp. Stat. Ann. § 67/1, et seq.

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|   |         | Between 6 months and 1 year   | poses immediate and present danger<br><br>Final:<br>Clear and convincing evidence respondent poses significant danger   | firearms to LE   | respondent owns firearms                        | termination<br><br>Respondent bears burden of proving by preponderance of the evidence that they no longer pose a significant danger   | expires<br><br>Same standard and duration as final order |
| <b>Indiana<sup>9</sup></b><br><br>Note: Indiana allows LE to search, seize, and retain firearms of dangerous individuals without an order process subject to court review | LE only | Hearing on whether firearm should be returned must be scheduled within 14 days of filing search warrant or warrantless affidavit<br><br>Firearms are retained until terminated by hearing or later petition | LE may seize firearms with or without a warrant from “dangerous individual” if there is probable cause that person is dangerous and possesses firearms<br><br>Following seizure, state must prove by clear and convincing evidence that respondent is dangerous | If firearms properly retained, respondent may still request transfer or sale to a federally licensed dealer or other authorized person | LE may seize firearms with or without a warrant | Respondent may petition for return of their firearm at any time 180 days after the court orders LE to retain<br><br>If petition is within one year of order, <i>respondent</i> must prove by preponderance of the evidence they are no longer dangerous<br><br>If petition is after one year, the <i>state</i> must prove by clear & convincing evidence the individual is still dangerous | Does not require renewal; lasts until terminated         |

<sup>9</sup> Ind. Code Ann. § 35-47-14 et seq.

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|                                   |   |   |  |  |  | If denied, respondent may not file a renewed petition until at least another 180 days from the date of denial |  |
| <b>Maryland<sup>10</sup></b>      | Family, household members (including cohabitants, dating, and intimate partners), LE, certain health care workers, legal guardians, and individuals who share a child with the respondent | Ex Parte:<br>Up to two business days (The first or second day a district court judge is sitting.)<br><br>Temporary:<br>7 days, but can be extended up to 6 months<br><br>Final:<br>Up to one year | Ex Parte:<br>Reasonable grounds to believe respondent poses immediate and present danger<br><br>Temporary:<br>Reasonable grounds to believe respondent poses immediate and present danger<br><br>Final:<br>Clear & convincing evidence respondent poses danger of causing injury | Must surrender to LE (no specified timeline)<br><br>LE may seek a search warrant | Issued if there is probable cause that not all weapons were surrendered <b>after</b> service of the order. | An order can be terminated after notice and a hearing   | Final order can be extended for 6 months at any time after notice and hearing based on showing of good cause |
| <b>Massachusetts<sup>11</sup></b> | Family,   | Ex Parte:   | Ex Parte:  | Immediate  | No   | The order can be  | Final order can  |

<sup>10</sup> Md. Code Ann., Pub. Safety § 5-601 et seq.

<sup>11</sup> Mass. Gen. Laws, ch. 140 § 131R(b)

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|                               | household members, dating partners, local licensing authority, law enforcement officers, health care providers, school administrators | Up to 10 days (Hearing is held within 2 days if petition indicates that respondent is required to carry a firearm for work)<br><br>Final:<br>Up to one year | Reasonable cause to believe respondent poses risk of bodily injury<br><br>Final:<br>Preponderance of the evidence that respondent poses risk of bodily injury  | surrender of all firearms and firearms license or ID to local licensing authority  |  | terminated at any time after a hearing  | be renewed not less than 30 days before expiration of initial order<br><br>Same standard and duration as final order                                      |
| <b>Michigan</b> <sup>12</sup> | Family, household members, health care providers (subject to limitations), and LEOs.  | Ex Parte:<br>Up to 14 days from service or actual notice<br><br>Final:<br>One year  | Ex Parte:<br>Clear and convincing evidence that immediate and irreparable harm will result from delay required to seek notice<br><br>Final:<br>Preponderance of evidence that (1) respondent can reasonably be expected within the near future to seriously physically injure themselves or another, and (2) respondent has engaged in an act(s) or made | The court shall determine whether to order the immediate surrender of the respondent's firearms or surrender within 24 hours, with a presumption of 24 hours unless the petitioner is a LE or health care provider | If court orders immediate surrender, it shall also authorize LEOs to search for and seize firearms where respondent refuses to comply with the order | Respondent may petition once during the first six months and once during the second six months that the order is in effect<br><br>Preponderance of the evidence that they no longer poses a risk of serious physical injury to their self or others | Either the petitioner or court may seek one or more renewals following the expiration of the final order<br><br>Same standard and duration as final order |

<sup>12</sup> Mich. Comp. Laws § 691.1801 et seq.

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|                                |   |  | significant threats that support that expectation  |   |  |  |  |
| <b>Minnesota</b> <sup>13</sup> | Family, household members, including significant dating partners, chief LE's, city or county attorneys, guardians | Ex Parte:<br>Up to 14 days<br>Final:<br>Not less than six months or more than one year | Ex Parte:<br>Probable cause that (1) the respondent poses a significant danger of bodily harm to others or is at significant risk of suicide, and (2) the respondent presents an immediate and present danger of either bodily harm to others or of taking their life<br><br>Final:<br>Clear and convincing evidence that the respondent poses a significant danger to others or is at significant risk of suicide | The court shall direct the respondent to transfer all firearms to a FFL dealer or LE agency within 24 hours | Shall be issued if probable cause to believe the respondent possesses firearms (1) when the ex parte order issued or (2) and there is clear and convincing evidence the respondent presents an immediate and present danger of bodily harm<br><br>The respondent shall be given the choice to voluntarily comply before the LE may execute the warrant | Respondent may petition for early termination by providing clear and convincing evidence that they no longer pose a significant danger to other persons or pose a significant risk of suicide<br><br>Application for termination may be made one time for every six months an order is in effect | Not less than 3 months before the order's expiration and upon petition by any person originally eligible to petition for an order<br><br>Same standard and duration as final order |
| <b>Nevada</b> <sup>14</sup>    | Family, household   | Ex Parte:<br>Up to 7 days  | Ex Parte:<br>Preponderance   | Immediate surrender to LE   | Issued if probable cause   | The original <i>petitioner</i> may   | Not less than 3 months before  |

<sup>13</sup> Minn. Stat. § 624.7171 et seq.

<sup>14</sup> Nev. Rev. Stat. Ann. § 33.500 et seq.



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|                                 | members, and LE                   | Final:<br>Up to one year   | of the evidence respondent poses an imminent risk of causing injury<br><br>Final: Clear and convincing evidence respondent poses an imminent risk of causing injury, has engaged in high risk behavior, and less restrictive measures have failed | upon service of order  | to believe not all weapons were surrendered <b>after</b> service of the order | seek early termination at any time and bears the burden of proving by clear and convincing evidence that the adverse party no longer poses a risk  | the order's expiration and upon petition by a family or household member or LE<br><br>Same standard and duration as final order |
| <b>New Jersey</b> <sup>15</sup> | Family, household members, and LE | Ex Parte: Up to 10 days<br><br>Final: Lasts until terminated by petition | Ex Parte: Good cause to believe respondent poses immediate and present danger<br><br>Final: Preponderance of the evidence that respondent poses significant danger  | Immediate surrender of firearms to LE upon service of order<br><br>48 hours to file a receipt in court documenting surrender | Issued if petition states respondent owns guns                                | An order can be terminated at any time after notice and a hearing<br><br>Respondent bears burden of proving by preponderance of the evidence that they no longer pose a significant danger | Does not require renewal; lasts until terminated  |

<sup>15</sup> N.J. Stat. Ann. § 2C:58-20, et seq.

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| <p><b>New Mexico</b><sup>16</sup></p> | <p>LE only</p>  | <p>Ex Parte:<br/>Up to 10 days</p> <p>Final:<br/>Up to one year</p>           | <p>Ex Parte:<br/>Probable cause to believe the respondent poses a significant danger of causing imminent injury</p> <p>Final:<br/>Preponderance of the evidence the respondent poses a significant danger of causing imminent injury</p> | <p>Surrender immediately upon service of the order or as directed by the court to LE or a FFL</p> <p>LE has 72 hours following surrender to file a receipt with the court</p> | <p>No</p>   | <p>An order can be terminated at any time after notice and a hearing</p>   | <p>Not less than one month prior to the expiration of the order</p> <p>Same standard and duration as final order</p>           |
| <p><b>New York</b><sup>17</sup></p>   | <p>Family, household members, school administrators, health care and social workers (depending on facts), district attorneys, and LE officers or agencies</p> | <p>Ex Parte:<br/>Up to six business days</p> <p>Final:<br/>Up to one year</p> | <p>Ex Parte:<br/>Probable cause to believe respondent is likely to cause serious harm</p> <p>Final:<br/>Clear and convincing evidence that respondent is likely to cause serious harm</p>  | <p>Immediate surrender of firearms to LE upon service of order</p>  | <p>Court may direct LE to search for firearms</p> | <p>Respondent may petition once during order's duration for early termination or any other change to the order</p> <p>Respondent bears burden of proving by clear and convincing evidence any change of circumstances that justify a</p> | <p>Can be renewed at any time within the 60 days before the order expires</p> <p>Same standard and duration as final order</p> |

<sup>16</sup> N.M. Stat. Ann. § 40-17-1 et seq.

<sup>17</sup> N.Y. Civil Practice Law & Rules Law § 6340 et seq.

|                                  |                                   |   |   |   |   | change to the order   |   |
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| <b>Oregon<sup>18</sup></b>       | Family, household members, and LE | Ex Parte:<br>Respondent must request a hearing within 30 days of order service; hearing shall occur within 21 days of request<br><br>Final:<br>Up to one Year | Ex Parte:<br>Clear and convincing evidence that respondent presents risk in the near future<br><br>Final:<br>Automatic if respondent does not request hearing after ex parte; same standard as ex parte | Surrender to LE, gun dealer, or third party legally allowed to possess firearms | No  | Respondent may petition once during order's duration for early termination<br><br>Respondent bears burden of proving by clear and convincing evidence that they no longer present a risk                    | Can be renewed at any time within the 90 days before the order expires<br><br>Same standard and duration as final order |
| <b>Rhode Island<sup>19</sup></b> | LE only                           | Ex Parte:<br>Up to 14 days<br><br>Final:<br>Up to one year  | Ex Parte:<br>Probable cause that respondent poses significant danger of causing imminent injury<br><br>Final:<br>Clear & convincing evidence that respondent poses significant danger                   | Immediate surrender to LE   | Issued concurrently if probable cause to believe respondent owns firearms | Respondent may petition once during order's duration for early termination<br><br>Respondent bears burden of proving by clear and convincing evidence that they no longer pose a significant risk of danger | Can be renewed at any time within the 14 days before the order expires<br><br>Same standard and duration as final order |

<sup>18</sup> Or. Rev. Stat. Ann. § 166.525, et seq.

<sup>19</sup> R.I. Gen. Laws § 8-8.3-1, et seq.

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| <b>Vermont<sup>20</sup></b>    | State's Attorneys, the Office of the Attorney General, or family or household members, including dating partners | Ex Parte:<br>Up to 14 days<br><br>Final:<br>Up to 6 Months | Ex Parte:<br>Preponderance of the evidence that respondent poses an imminent and extreme risk<br><br>Final:<br>Clear and convincing evidence that respondent poses an extreme risk                      | Upon service, must immediately relinquish to LE, FLL dealer, or other court approved person  | No   | Respondent may petition once during order's duration for early termination<br><br>If state can no longer prove by clear and convincing evidence that respondent poses risk, order is terminated | Final order can be renewed for up to an additional 6 months not more than 30 days and not less than 14 days before termination of initial order<br><br>Same standard and duration as final order |
| <b>Virginia<sup>21</sup></b>   | Commonwealth attorneys, LE, certain judges and magistrates   | Ex Parte:<br>14 days<br><br>Final:<br>Maximum of 180 days  | Ex Parte:<br>Probable cause to believe respondent poses a substantial risk of causing injury<br><br>Final:<br>Clear and convincing evidence that the subject poses a substantial risk of causing injury | Voluntary surrender upon service or transfer to another individual 21 years of age or older who is not otherwise prohibited from possessing firearms | Issued if probable cause to believe not all weapons were surrendered <b>after</b> service of the order | Respondent may file a motion to dissolve once during order's duration; such motion may not be filed earlier than 30 days from order's issuance  | At any time prior to expiration of the order, a Commonwealth attorney or LE may file a written motion requesting a hearing to extend the order<br><br>Same standard and duration as final order  |
| <b>Washington<sup>22</sup></b> | Family, household members,   | Ex Parte:<br>Up to 14 days                                 | Ex Parte:<br>Reasonable cause to believe  | Immediate surrender to LE  | Issued if probable cause to believe not all  | Respondent may petition once during order's   | Final order can be renewed at any time within  |

<sup>20</sup> Vt. Stat. Ann. tit. 13, § 4051, et seq.

<sup>21</sup> Va. Code Ann. §§ 19.2-152.13 - 19.152.17

<sup>22</sup> Wash. Rev. Code Ann. Ch. 7.105

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|  | intimate partners, and LE | Final:<br>Up to one year | respondent poses significant danger of injury in near future<br><br>Final:<br>Preponderance of the evidence that respondent poses significant danger | If order is not served by LE, surrender to LE within 48 hours | weapons were surrendered <b>after</b> service of the order | duration for early termination<br>Respondent bears burden of proving by preponderance of the evidence that they no longer pose a significant risk of danger | 90 days before expiration of initial order<br><br>Same standard and duration as final order |
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