

STATE

STATUTE

PETITIONER

LE; **immediate family member**;
employer; coworker if they have had
substantial and regular interactions
with the subject for at least 1 year
and have obtained approval of the
employer; employee or teacher of a
secondary or postsecondary school
that the subject has attended in the
last six months, if the employee or
teacher has obtained the approval
of a school administrator or a school
administration staff member with a
supervisory role

California

Cal. Penal Code §
18100, et. seq.

(LE only for emergency)

Law enforcement or a
family/household member

Note about **respondent**: 2019 amendment explicitly allows a petition to be brought against a respondent under age 18 (and there are certain provisions that apply to those respondents, including sealing records in certain instances)
Law Enforcement (via search & seizure warrant)

Washington

ARCW 7.94.010, et
seq.

Indiana

Ind Code 35-47-14-1,
et seq

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

[Note that Jeff Swanson's paper says that the practice is as follows: two police officers conduct an independent investigation and sign a statement that there is probable cause to believe the person poses an imminent risk, which is then submitted to the State's Attorney who reviews the evidence and decides whether to request a risk warrant]

Connecticut

Conn. Gen. Stat. 29-38c

Law enforcement officer or a **family or household member**

Oregon

ORS 166.525, et seq.

Florida

Fla. Stat. 790.401

Law enforcement

Vermont

13 VSA 4051, et seq.

State's Attorney or the Office of the Attorney General

Law enforcement, **family**,
doctors/mental health professionals

(Specifically: Law enforcement;
physician, psychologist, clinical
social worker, licensed clinical
professional counselor, clinical
nurse specialist in psychiatric and
mental health nursing, psychiatric
nurse practitioner, licensed clinical
marriage or family therapist, or
health officer or designee of a
health officer who has examined the
person; person's spouse,
cohabitant, relative by blood,
marriage or adoption, person who
has child in common; current dating
or intimate partner, current or former
legal guardian)

Maryland

Md Public Safety Code
5-601, et seq

Rhode Island

RI Gen Laws 8-8.3-1,
et seq.

Law enforcement

Law enforcement or "family or household members."

(The bill defines "family or household member" as domestic partner, partner in civil union, former spouse, former domestic partner, former partner in civil union, or any other person who is or was a household member, a child with whom respondent has a child in common, current or former dating partner.)

New Jersey

N.J. Stat. 2C:58-20, et seq.
10 Del. C. 7701, et. seq.

Delaware

(see also 11 Del. C. 1448(a)(10) for prohibitor)

Law enforcement or family member, but only law enforcement can bring a petition for an ex parte ("emergency") order

Family or household member, or the licensing authority of the municipality where the respondent resides

"Family or household member" means a person who is or was married to the respondent; is or was residing with the respondent in the same household; is or was related by blood or marriage to the respondent; has or is having a child in common with the respondent; is or has been in a dating relationship with the respondent; is or has been engaged to the respondent.

"Licensing authority" means the chief of police or the board or officer having control of the police in a city or town, or persons authorized by them.

****Note that a petition may only be brought against a person who holds a license to carry or an FID card (which are required to possess a handgun or long gun**

		<p>Family member or law enforcement officer.</p>
<p>Illinois</p>	<p>Public Act 100-0607, codification TBD</p> <p>430 ILCS 67/1, et seq.</p>	<p>"Family member of the respondent" means a spouse, parent, child, or step-child of the respondent, any other person related by blood or present marriage to the respondent, or a person who shares a common dwelling with the respondent.</p>
<p>District of Columbia</p>	<p>DC Code § 7-2510.01, et seq.</p> <p>A22-0629, Expires on Apr 30, 2019; A22-0620 (effective after Congressional review and publication)</p>	<p>Family members, police, mental health professionals</p> <p>"Related to the respondent by blood, adoption, guardianship, marriage, domestic partnership, having a child in common, cohabitating, or maintaining a romantic, dating, or sexual relationship rendering the application of this title appropriate"</p> <p>"A sworn member of the Metropolitan Police Department"</p>

Police officer; district attorney;
family or household member; school
administrator or designee

"a school administrator as defined in section eleven hundred twenty-five of the education law, or a school administrator's designee, of any school in which the person against whom the order is sought is currently enrolled or has been enrolled in the six months immediately preceding the filing of the petition." Under N.Y. Educ. Law § 1125 "'Administrator' or 'school administrator' shall mean a principal, or the equivalent title, in a school, or other chief school officer."

Under N.Y. Soc. Serv. Law § 459-a, "'Family or household members' mean the following individuals:

- (a) persons related by consanguinity or affinity;
- (b) persons legally married to one another;
- (c) persons formerly married to one another regardless of whether they

Law enforcement or "family or household members."

(The bill defines "family or household member" as a person related by blood, marriage, or adoption to the respondent; a person who has a child in common with the respondent; a person who regularly resides or regularly resided with the respondent in the last six months; domestic partner of the respondent; person who has a biological or legal parent-child relationship with the respondent, including step- parents and children and step- grandparents and grandchildren; a person who is acting or has acted as the respondent's legal guardian; and dating partners.)

13-14.5-101 - 13-14.5-114

Colorado

LE or **family or household member**.
"Family or household member"
means, with respect to an adverse
party, any: 1. Person related by
blood, adoption or marriage to
theadverse party within the first
degree of consanguinity; 2. Person
who has a child in common with
theadverse party, regardless of
whether the person has been
married to the adverse party or has
lived together with the adverse party
at any time; 3. Domestic partner of
theadverse party; 4. Person who has
a biological or legal parent and child
relationship with the adverse party,
including, without limitation, a
natural parent, adoptive parent,
stepparent, stepchild, grandparent
or grandchild; 5. Person who is
acting or has acted as a guardian to
theadverse party; or 6. Person who is
currently in a dating or ongoing
intimate relationship with the
adverse party

Nevada

TBC

law enforcement officer, **family or household member of the respondent**, medical professional, educator, or colleague. "Colleague" means a person employed or working at the same place of business or employment as the respondent.

"Educator" means a person employed at an institution of learning at which the respondent may have a connection."Family or household member" means any spouse or reciprocal beneficiary, former spouse or former reciprocal beneficiary, person with whom the respondent has a child in common, parent, child, person related by consanguinity, person related by adoption, person jointly residing or who formerly jointly resided with a respondent in the same dwelling unit as the respondent, person who has or has had a dating relationship, or person who is or has acted as the respondent's legal guardian. "Family or household