

House Bill 435

By: Representatives Wilson of the 80th, Kausche of the 50th, Holland of the 54th, Davis of the 87th, Hutchinson of the 107th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
2 relating to dangerous instrumentalities and practices, so as to enact the "Georgia Red Flag
3 Protective Order Act"; to provide definitions; to provide for risk protection order hearings
4 and issuance; to revise provisions regarding temporary ex parte risk protection orders; to
5 provide for service of notice; to provide for the termination and extension of orders; to
6 provide for surrender and return of firearms, ammunition, and weapons carry licenses; to
7 provide for the reporting of orders; to provide for penalties and liability; to provide for
8 instructional and informational materials to be produced by the Administrative Office of the
9 Courts; to provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to
13 dangerous instrumentalities and practices, is amended by adding a new part to read as
14 follows:

15 "Part 3A

16 16-11-140.

17 This part shall be known and may be cited as the 'Georgia Red Flag Protective Order Act.'

18 16-11-141.

19 As used in this part, the term:

20 (1) 'Family or household member' means spouses, former spouses, persons related by
21 blood or marriage, persons who are presently residing together or who have resided
22 together in the past, and persons who are parents of a child in common regardless of
23 whether they have been married. With the exception of persons who have a child in

24 common, the family or household members must be currently residing or have in the past
 25 resided together in the same dwelling house.

26 (2) 'Law enforcement agency' means any unit, organ, or department of this state, or a
 27 subdivision or municipality thereof, whose primary functions include the enforcement of
 28 criminal or traffic laws; the preservation of public order; the protection of life and
 29 property; or the prevention, detection, or investigation of crime.

30 (3) 'Law enforcement officer' means any peace officer employed by a law enforcement
 31 agency.

32 (4) 'Petitioner' means a family or household member or law enforcement officer who
 33 petitions a court for a risk protection order under this part.

34 (5) 'Respondent' means the individual who is identified as the respondent in a petition
 35 filed under this part.

36 (6) 'Risk protection order' means a temporary ex parte order or final order granted under
 37 this part.

38 16-11-142.

39 (a) When a petition for a risk protection order is created, the order shall:

40 (1) Identify the respondent by name and last known address;

41 (2) Allege that the respondent poses a significant danger of causing personal injury to
 42 himself or herself or others by having a firearm or any ammunition in his or her custody
 43 or control or by purchasing, possessing, or receiving a firearm or any ammunition;

44 (3) Be accompanied by an affidavit made under oath stating the specific statements,
 45 actions, or facts that give rise to a reasonable fear of significant dangerous acts by the
 46 respondent;

47 (4) Identify the quantities, types, and locations of all firearms and ammunition the
 48 petitioner believes to be in the respondent's current ownership, possession, custody, or
 49 control; and

50 (5) Identify whether there is a known existing protective order governing the respondent
 51 under Code Section 16-5-94 or 19-13-4 or under any other applicable law.

52 (b) A petition for a risk protection order may be filed by a family or household member
 53 or law enforcement officer. Such petition shall be filed in the superior court having
 54 jurisdiction over the geographical area of the petitioner's law enforcement agency or
 55 wherein the respondent resides. Such petition for a risk protection order does not require
 56 either party to be represented by an attorney.

57 (c) The petitioner shall make a good faith effort to provide notice to a family or household
 58 member of the respondent and to any known third party who may be at risk of violence.
 59 The notice shall state that the petitioner intends to petition the court for a risk protection

60 order or has already done so and shall include referrals to appropriate resources, including,
61 but not limited to, mental health, domestic violence, and counseling resources. The
62 petitioner shall attest in the petition to having provided such notice or shall attest to the
63 steps that will be taken to provide such notice.

64 (d) The petitioner shall list the address of record on the petition as being where the
65 appropriate law enforcement agency is located.

66 (e) The court shall not charge fees for filing or for service of process to a petitioner
67 seeking relief under this part and shall provide the necessary number of certified copies,
68 forms, and instructional brochures free of charge.

69 (f) A person shall not be required to post a bond to obtain relief in any proceeding under
70 this part.

71 (g) The superior courts of this state have jurisdiction over proceedings under this part.

72 16-11-143.

73 (a)(1) Upon receipt of a petition, the court shall order a hearing to be held no later than
74 14 days after the date of the order and shall issue a notice of hearing to the respondent for
75 the same.

76 (2) The clerk of the court shall cause a copy of the petition and the notice of hearing to
77 be forwarded on or before the next business day to the appropriate law enforcement
78 agency for service upon the respondent as provided in Code Section 16-11-145.

79 (3) The court may, as provided in Code Section 16-11-144, issue a temporary ex parte
80 risk protection order pending the hearing ordered under this subsection. Such temporary
81 ex parte order shall be served concurrently with the petition and the notice of hearing as
82 provided in Code Section 16-11-145.

83 (b) Upon notice and a hearing on the matter, if the court finds by clear and convincing
84 evidence that the respondent poses a significant danger of causing personal injury to
85 himself or herself or others by having in his or her custody or control, or by purchasing,
86 possessing, or receiving, a firearm or any ammunition, the court shall issue a risk protection
87 order for a period of time that it deems appropriate, but not exceeding 12 months.

88 (c) In determining whether grounds for a risk protection order exist, the court may
89 consider any relevant evidence, including, but not limited to, any of the following:

90 (1) A recent act or threat of violence by the respondent against himself or herself or
91 others, whether or not such violence or threat of violence involved a firearm;

92 (2) An act or threat of violence by the respondent within the past 12 months, including,
93 but not limited to, acts or threats of violence by the respondent against himself or herself
94 or others;

- 95 (3) Evidence of the respondent being seriously mentally ill or having recurring mental
96 health issues;
- 97 (4) A violation by the respondent of an order issued pursuant to Code Section 16-5-94
98 or 19-13-4;
- 99 (5) A previous or existing risk protection order issued against the respondent;
- 100 (6) A violation of a previous or existing risk protection order issued against the
101 respondent;
- 102 (7) Whether the respondent, in this state or any other state, has been convicted of, had
103 adjudication withheld on, or has pled nolo contendere to a crime that constitutes family
104 violence as defined in Code Section 19-13-1;
- 105 (8) Whether the respondent has used, or has threatened to use, any weapons against
106 himself or herself or others;
- 107 (9) The unlawful or reckless use, display, or brandishing of a firearm by the respondent;
- 108 (10) The recurring use of, or threat to use, physical force by the respondent against
109 another person or the respondent's stalking of another person;
- 110 (11) Whether the respondent, in this state or any other state, has been arrested for, has
111 been convicted of, had adjudication withheld on, or has pled nolo contendere to a crime
112 involving violence or a threat of violence;
- 113 (12) Corroborated evidence of the abuse of controlled substances or alcohol by the
114 respondent;
- 115 (13) Evidence of recent acquisition of firearms or ammunition by the respondent;
- 116 (14) Any relevant information from family and household members concerning the
117 respondent; or
- 118 (15) Witness testimony, taken while the witness is under oath, relating to the matter
119 before the court.
- 120 (d) In a hearing under this part, the rules of evidence shall apply to the same extent as in
121 a family violence proceeding under Code Section 19-13-3.
- 122 (e) During the hearing, the court shall consider whether a mental health evaluation or
123 chemical dependency evaluation is appropriate and, if such determination is made, may
124 order such evaluations, if appropriate.
- 125 (f) A risk protection order shall include all of the following:
- 126 (1) A statement of the grounds supporting the issuance of the order;
- 127 (2) The date the order was issued;
- 128 (3) The date the order ends;
- 129 (4) Whether a mental health evaluation or chemical dependency evaluation of the
130 respondent is required;
- 131 (5) The address of the court in which any responsive pleading may be filed;

- 132 (6) A description of the requirements for the surrender of all firearms and ammunition
133 that the respondent owns; and
- 134 (7) The following statement:
135 'To the subject of this protection order: This order is valid until the date noted above. If
136 you have not done so already, you shall surrender immediately to the (insert name of
137 local law enforcement agency) all firearms and ammunition that you own in your
138 custody, control, or possession and any weapons carry license or renewal license issued
139 to you under Code Section 16-11-129. You may not have in your custody or control or
140 purchase, possess, receive, or attempt to purchase or receive a firearm or ammunition
141 while this order is in effect. You have the right to request one hearing to vacate this
142 order, starting after the date of the issuance of this order, and to request another hearing
143 after every extension of the order, if any. You may seek the advice of an attorney as to
144 any matter connected with this order.'
- 145 (g) If the court issues a risk protection order, the court shall inform the respondent that he
146 or she is entitled to request a hearing to vacate the order in the manner provided by Code
147 Section 16-11-146 and the court shall provide the respondent with a form to request a
148 hearing to vacate.
- 149 (h) If the court denies the petitioner's request for a risk protection order, the court shall
150 state the particular reasons for the denial.
- 151 16-11-144.
- 152 (a) A petitioner may request that a temporary ex parte risk protection order be issued
153 before a hearing for a risk protection order, without notice to the respondent, by including
154 in the petition detailed allegations based on personal knowledge that the respondent poses
155 a significant danger of causing personal injury to himself or herself or others in the near
156 future by having in his or her custody or control, or by purchasing, possessing, or receiving,
157 a firearm or ammunition.
- 158 (b) In considering whether to issue a temporary ex parte risk protection order under this
159 part, the court shall consider all relevant evidence, including the evidence described in
160 subsection (c) of Code Section 16-11-143.
- 161 (c) If the court finds there is reasonable cause to believe that the respondent poses a
162 significant danger of causing personal injury to himself or herself or others in the near
163 future by having in his or her custody or control, or by purchasing, possessing, or receiving,
164 a firearm or ammunition, the court shall issue a temporary ex parte risk protection order.
- 165 (d) The court shall hold a hearing on the temporary ex parte risk protection order within
166 two business days of the date the petition is filed.
- 167 (e) A temporary ex parte risk protection order shall include all of the following:

- 168 (1) A statement of the grounds asserted for the order;
169 (2) The date the order was issued;
170 (3) The address of the court in which any responsive pleading may be filed;
171 (4) The date and time of the scheduled hearing;
172 (5) A description of the requirements for the surrender of all firearms and ammunition
173 that the respondent owns or controls; and
174 (6) The following statement:
175 'To the subject of this protection order: This order is valid until the date noted above.
176 You are required to surrender all firearms and ammunition that you own in your custody,
177 control, or possession. You may not have in your custody or control or purchase,
178 possess, receive, or attempt to purchase or receive a firearm or ammunition while this
179 order is in effect. You shall surrender immediately to the (insert name of local law
180 enforcement agency) all firearms and ammunition in your custody, control, or possession
181 and any weapons carry license or renewal license issued to you under Code Section
182 16-11-129. A hearing will be held on the date and at the time noted above to determine
183 if a risk protection order should be issued. Failure to appear at that hearing may result
184 in a court issuing an order against you which is valid for one year. You may seek the
185 advice of an attorney as to any matter connected with this order.'
186 (f) A temporary ex parte risk protection order ends upon the hearing on the risk protection
187 order.
188 (g) A temporary ex parte risk protection order shall be served by a law enforcement officer
189 in the same manner as provided for in Code Section 16-11-145 for service of the petition
190 and notice of hearing and shall be served concurrently with the petition and notice of
191 hearing.
192 (h) If the court denies the petitioner's request for a temporary ex parte risk protection order,
193 the court shall state the particular reasons for the denial.

194 16-11-145.
195 (a) The clerk of the court shall provide for personal service of the petition, notice of
196 hearing, and temporary ex parte risk protection order or risk protection order, as applicable,
197 upon the respondent. Service under this part shall take precedence over the service of other
198 documents, unless such documents are of a similar emergency nature.
199 (b) All orders issued, changed, continued, extended, or vacated after the original service
200 of documents specified in subsection (a) of this Code section shall be certified by the clerk
201 of the court and delivered to the parties at the time of the entry of the order. The parties
202 may acknowledge receipt of such order in writing on the face of the original order. If a
203 party fails or refuses to acknowledge receipt of a certified copy of an order, the clerk shall

204 note on the original order that service was effected. If delivery at the hearing is not
205 possible, the clerk shall mail certified copies of the order to the parties at the last known
206 address of each party.

207 16-11-146.

208 (a)(1) The respondent may submit one written request for a hearing to vacate a risk
209 protection order issued under this part, starting after the date of the issuance of the order,
210 and may request another hearing after every extension of the order, if any.

211 (2) Upon receipt of the request for a hearing to vacate a risk protection order, the court
212 shall set a date for a hearing. Notice of the request shall be served on the petitioner in
213 accordance with Code Section 16-11-145. The hearing shall occur no sooner than 14
214 days and no later than 30 days after the date of service of the request upon the petitioner.

215 (3) The respondent shall have the burden of proving by clear and convincing evidence
216 that the respondent does not pose a significant danger of causing personal injury to
217 himself or herself or others by having in his or her custody or control or by purchasing,
218 possessing, or receiving a firearm or ammunition. The court may consider any relevant
219 evidence, including evidence of the considerations as provided in subsection (c) of Code
220 Section 16-11-143.

221 (4) If the court finds after the hearing that the respondent has met his or her burden of
222 proof, the court shall vacate the order.

223 (5) The law enforcement agency holding any firearm, ammunition, or weapons carry
224 license that has been surrendered pursuant to this part shall be notified of the court order
225 to vacate the risk protection order.

226 (b) The court shall notify the petitioner of the impending end of a risk protection order.
227 Notice shall be received by the petitioner at least 30 days before the date the order ends.

228 (c)(1) The petitioner may, by motion, request an extension of a risk protection order at
229 any time within 30 days before the end of the order.

230 (2) Upon receipt of the motion to extend, the court shall order that a hearing be held no
231 later than 14 days after the date the order is issued and shall schedule such hearing. The
232 respondent shall be personally served in the manner provided by Code Section
233 16-11-145.

234 (3) In determining whether to extend a risk protection order issued under this part, the
235 court may consider all relevant evidence, including evidence of the considerations as
236 provided in subsection (c) of Code Section 16-11-143.

237 (4) If the court finds by clear and convincing evidence that the requirements for issuance
238 of a risk protection order as provided in Code Section 16-11-143 continue to be met, the
239 court shall extend the order. However, if, after notice, the motion for extension is

240 uncontested and no modification of the order is sought, the order may be extended on the
241 basis of a motion or affidavit stating that there has been no material change in relevant
242 circumstances since entry of the order and stating the reason for the requested extension.
243 (5) The court may extend a risk protection order for a period of time that it deems
244 appropriate, but not exceeding 12 months, subject to an order to vacate as provided in
245 subsection (a) of this Code section or to another extension order by the court.

246 16-11-147.

247 (a) Upon issuance of a risk protection order or temporary ex parte risk protection order
248 under this part, the court shall order the respondent to surrender to the local law
249 enforcement agency all firearms and ammunition owned by the respondent in the
250 respondent's custody, control, or possession, except as provided in Code Section
251 16-11-149, and any weapons carry license or renewal license issued under Code Section
252 16-11-129 held by the respondent.

253 (b) The law enforcement officer serving a risk protection order under this part, including
254 a temporary ex parte risk protection order, shall request that the respondent immediately
255 surrender all firearms and ammunition owned by the respondent in his or her custody,
256 control, or possession and any weapons carry license or renewal license issued under Code
257 Section 16-11-129 held by the respondent. The law enforcement officer shall take
258 possession of such firearms, ammunition, and weapons carry license or renewal license so
259 surrendered. If personal service by a law enforcement officer is not possible or is not
260 required because the respondent was present at the risk protection order hearing, the
261 respondent shall surrender any firearms and ammunition owned by the respondent, and any
262 weapons carry license or renewal license issued under Code Section 16-11-129 held by the
263 respondent, in a safe manner to the control of the local law enforcement agency
264 immediately after being served with the order by service or immediately after the hearing
265 at which the respondent was present. Notwithstanding Code Sections 17-5-20, 17-5-21,
266 and 17-5-24, a law enforcement officer may seek a search warrant from a court of
267 competent jurisdiction to conduct a search for firearms or ammunition owned by the
268 respondent if the officer has probable cause to believe that there are firearms or
269 ammunition owned by the respondent in the respondent's custody, control, or possession
270 which have not been surrendered.

271 (c) At the time of surrender, a law enforcement officer taking possession of any firearm
272 or ammunition owned by the respondent, or any weapons carry license or renewal license
273 issued under Code Section 16-11-129 held by the respondent, shall issue a receipt
274 identifying all firearms surrendered, the quantity and type of ammunition surrendered, and
275 any license surrendered and shall provide a copy of the receipt to the respondent. Within

276 72 hours after service of the order, the law enforcement officer serving the order shall file
277 the original receipt with the court and shall ensure that his or her law enforcement agency
278 retains a copy of the receipt.

279 (d) Notwithstanding Code Sections 17-5-20 and 17-5-21, upon the sworn statement or
280 testimony of any person alleging that the respondent has failed to comply with the
281 surrender of firearms or ammunition owned by the respondent, as required by an order
282 issued under this part, the court shall determine whether probable cause exists to believe
283 that the respondent has failed to surrender all firearms or ammunition owned by the
284 respondent in the respondent's custody, control, or possession. If the court finds that
285 probable cause exists, the court shall issue a warrant describing the firearms or ammunition
286 owned by the respondent and authorizing a search of the locations where such firearms or
287 ammunition are reasonably believed to be found and the seizure of any firearms or
288 ammunition owned by the respondent discovered pursuant to such search.

289 (e) If a person other than the respondent claims title to any firearms or ammunition
290 surrendered pursuant to this part and he or she is determined by the law enforcement
291 agency to be the lawful owner of the firearm or ammunition, the firearm or ammunition
292 shall be returned to him or her if:

293 (1) The lawful owner agrees to store the firearm or ammunition in a manner such that the
294 respondent does not have access to or control of the firearm or ammunition; and

295 (2) The firearm or ammunition is not otherwise unlawfully possessed by the owner.

296 (f) Upon the issuance of a risk protection order, the court shall order a new hearing date
297 and require the respondent to appear no later than three business days after the issuance of
298 the order. The court shall require proof that the respondent has surrendered any firearms
299 or ammunition owned by the respondent in the respondent's custody, control, or possession.
300 The court may cancel the hearing upon a satisfactory showing that the respondent is in
301 compliance with the order.

302 (g) All law enforcement agencies shall develop policies and procedures regarding the
303 acceptance, storage, and return of firearms, ammunition, or licenses required to be
304 surrendered under this part.

305 16-11-148.

306 (a) If a risk protection order is vacated or ends without extension, a law enforcement
307 agency holding a firearm or any ammunition owned by the respondent, or a weapons carry
308 license or renewal license issued under Code Section 16-11-129 held by the respondent,
309 that has been surrendered or seized pursuant to this part shall return such surrendered
310 firearm, ammunition, or license as requested by a respondent only after confirming through
311 a background check that the respondent is currently eligible to own or possess firearms and

312 ammunition under federal and state law and after confirming with the court that the risk
 313 protection order has been vacated or has ended without extension.

314 (b) A law enforcement agency shall provide notice to any family or household members
 315 of the respondent before the return of any surrendered firearm, ammunition, or weapons
 316 carry license owned or held by the respondent.

317 (c) Any firearm or ammunition surrendered by a respondent pursuant to Code Section
 318 16-11-147 which remains unclaimed by the lawful owner for one year after an order to
 319 vacate the risk protection order shall be disposed of in accordance with Article 3 of Chapter
 320 5 of Title 17.

321 16-11-149.

322 A respondent may elect to transfer all firearms or ammunition owned by the respondent
 323 that have been surrendered to or seized by a local law enforcement agency pursuant to
 324 Code Section 16-11-147 to another person who is willing to receive the respondent's
 325 firearms or ammunition. The law enforcement agency shall allow such a transfer only if
 326 the chosen recipient:

327 (1) Currently is eligible to own or possess a firearm or ammunition under federal and
 328 state law after confirmation through a background check;

329 (2) Attests to storing the firearms or ammunition in a manner such that the respondent
 330 does not have access to or control of the firearms or ammunition until the risk protection
 331 order against the respondent is vacated or ends without extension; and

332 (3) Attests not to transfer the firearms or ammunition back to the respondent until the
 333 risk protection order against the respondent is vacated or ends without extension.

334 16-11-149.1.

335 (a) Upon receipt of the copy of the risk protection order, the law enforcement agency shall
 336 enter the order into the records of the Georgia Crime Information Center and National
 337 Crime Information Center. The order shall remain in each system for the period stated in
 338 the order, and the law enforcement agency may only remove an order from the systems if
 339 it has ended or been vacated. Entry of the order into the records of the Georgia Crime
 340 Information Center and National Crime Information Center constitutes notice to all law
 341 enforcement agencies of the existence of the order which shall be fully enforceable in any
 342 county in this state.

343 (b) The issuing court shall, within three business days after issuance of a risk protection
 344 order or temporary ex parte risk protection order, forward all available identifying
 345 information concerning the respondent, along with the date of issuance of the order, to the
 346 Department of Agriculture. Upon receipt of the information, the Department of

347 Agriculture shall determine if the respondent has a weapons carry license or firearm. If the
348 respondent does have a weapons carry license or firearm, the department shall immediately
349 suspend the license.

350 (c) If a risk protection order is vacated before its end date, the clerk of the court shall, on
351 the day of the order to vacate, forward a copy of the order to the Department of Agriculture
352 and the appropriate law enforcement agency specified in the order to vacate. Upon receipt
353 of the order, the law enforcement agency shall promptly remove the order from any
354 computer based system in which it was entered pursuant to subsection (a) of this Code
355 section.

356 16-11-149.2.

357 (a) A person who makes a false statement, which he or she does not believe to be true,
358 under oath in a hearing under this part in regard to any material matter commits a
359 misdemeanor of a high and aggravated nature, punishable as provided in Code Section
360 17-10-4.

361 (b) A person who has in his or her custody or control a firearm or any ammunition or who
362 purchases, possesses, or receives a firearm or any ammunition with knowledge that he or
363 she is prohibited from doing so by an order issued under this part commits a misdemeanor
364 of a high and aggravated nature, punishable as provided in Code Section 17-10-4.

365 16-11-149.3.

366 This part shall not be construed to affect the ability of a law enforcement officer to conduct
367 any search and seizure for firearms or ammunition pursuant to other lawful authority.

368 16-11-149.4.

369 Except as provided in Code Section 16-11-148 or 16-11-149.2, this part shall not impose
370 criminal or civil liability on any person or entity for acts or omissions related to obtaining
371 a risk protection order or temporary ex parte risk protection order, including, but not
372 limited to, providing notice to the respondent, a family or household member of the
373 respondent, and any known third party who may be at risk of violence, or failing to provide
374 such notice, or reporting, declining to report, investigating, declining to investigate, filing,
375 or declining to file a petition under this part.

376 16-11-149.5.

377 (a)(1) The Administrative Office of the Courts shall develop and prepare instructions and
378 informational brochures, standard petition and risk protection order forms, and a court
379 staff handbook on the risk protection order process. The standard petition and order

380 forms shall be used after January 1, 2020, for all petitions filed and orders issued pursuant
381 to this part. The office shall determine the significant non-English-speaking or limited
382 English-speaking populations in the state and prepare the instructions and informational
383 brochures and standard petition and risk protection order forms in such languages. The
384 instructions, brochures, forms, and handbook shall be prepared in consultation with
385 interested persons, including representatives of gun violence prevention groups, judges,
386 and law enforcement personnel. Materials shall be based on best practices and shall be
387 available online to the public.

388 (2) The instructions shall be designed to assist petitioners in completing the petition and
389 shall include a sample of completed forms for a standard petition and risk protection
390 order.

391 (3) The instructions and standard petition shall include a means for the petitioner to
392 identify, with only layman's knowledge, the firearms or ammunition the respondent may
393 own, possess, receive, or have in his or her custody or control. The instructions shall
394 provide pictures of the types of firearms and ammunition that the petitioner may choose
395 from to identify the relevant firearms or ammunition or shall provide an equivalent means
396 to allow petitioners to identify firearms or ammunition without requiring specific or
397 technical knowledge regarding the firearms or ammunition.

398 (4) The informational brochure shall describe the use of and the process for obtaining,
399 extending, and vacating a risk protection order under this part and shall provide relevant
400 forms.

401 (5) The risk protection order form shall include, in a conspicuous location, notice of
402 criminal penalties resulting from violation of the order and the following statement: 'You
403 have the sole responsibility to avoid or refrain from violating this order's provisions.
404 Only the court can change the order and only upon written request.'

405 (6) The court staff handbook shall allow for the addition of a community resource list by
406 the clerk of the court.

407 (b) Any clerk of the court may create a community resource list of crisis intervention,
408 mental health, substance abuse, interpreter, counseling, and other relevant resources
409 serving the county in which the court is located. The court may make the community
410 resource list available as part of or in addition to the informational brochures described in
411 subsection (a) of this Code section.

412 (c) The Administrative Office of the Courts shall distribute a master copy of the petition
413 and order forms, instructions, and informational brochures to the clerks of court.
414 Distribution of all documents shall, at a minimum, be in an electronic format or in formats
415 accessible to all courts and clerks of court in this state.

416 (d) Within 90 days after receipt of the master copy from the Administrative Office of the
417 Courts, the court shall make available the standardized forms, instructions, and
418 informational brochures required by this Code section.

419 (e) The Administrative Office of the Courts shall update the instructions, brochures,
420 standard petition and risk protection order forms, and court staff handbook as necessary,
421 including when changes in the law make an update necessary."

422 **SECTION 2.**

423 All laws and parts of laws in conflict with this Act are repealed.