

House Bill 584

By: Representatives Roberts of the 52<sup>nd</sup>, Mitchell of the 88<sup>th</sup>, Au of the 50<sup>th</sup>, Panitch of the 51<sup>st</sup>, and Evans of the 89<sup>th</sup>

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:

H. B. 584

15 "Part 3A16 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 Georgia Crime Information Center. Upon receipt of the information, the Georgia Crime  
347 Information Center shall determine if the respondent has a weapons carry license or  
348 firearm. If the respondent does have a weapons carry license or firearm, the center shall  
349 immediately 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 Georgia Crime  
352 Information Center and the appropriate law enforcement agency specified in the order to  
353 vacate. Upon receipt of the order, the law enforcement agency shall promptly remove the  
354 order from any computer based system in which it was entered pursuant to subsection (a)  
355 of this Code 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, 2022, 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.