

Assembly Bill No. 2068

CHAPTER 153

An act to add Section 6103.3 to the Government Code, relating to local government.

[Approved by Governor July 21, 2008. Filed with
Secretary of State July 21, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2068, Aghazarian. Domestic violence: elder abuse: harassment: workplace violence: orders and injunctions: service: notice to protected person.

Existing law excepts orders and injunctions relating to harassment, workplace violence, domestic violence, and elder abuse from a provision authorizing a sheriff or marshal to require the prepayment of fees prior to the performance of any official act.

This bill would authorize a sheriff or marshal, for any order or injunction relating to harassment, workplace violence, domestic violence, or elder abuse, for which the sheriff or marshal provides service of process and is prohibited under existing law from requiring payment of a fee, to notify the protected person by electronic or telephonic means within 24 hours after service of process that the order or injunction has been served on the restrained person, including the date and time when the order or injunction was served, if the protected person has requested this notification and has registered a telephone number or e-mail address at which the protected person may be contacted for this purpose.

The people of the State of California do enact as follows:

SECTION 1. Section 6103.3 is added to the Government Code, to read:

6103.3. (a) For any order or injunction for which the sheriff or marshal provides service of process and is prohibited under paragraph (4) of subdivision (b) of Section 6103.2 from requiring payment of a fee, the sheriff or marshal may notify the protected person by electronic or telephonic means within 24 hours after service of process that the order or injunction has been served on the restrained person, including the date and time when the order or injunction was served, if the protected person has requested this notification and has registered a telephone number or e-mail address at which the protected person may be contacted for this purpose.

(b) The sheriff may provide the notification described in subdivision (a) via an automated statewide victim information and notification system if the sheriff has access to that system, his or her county participates in that

system, and local, state, or federal funds are made available for the operation of that system.

(c) If the sheriff participates in the notification program authorized under this section and the service of process is provided by a marshal, the marshal shall promptly inform the sheriff of the date and time when the order or injunction was served, and the sheriff shall provide the notice described in subdivision (a) to the protected person.

(d) This section applies only to orders or injunctions described in paragraph (1) of subdivision (q) of Section 527.6 and Section 527.8 of the Code of Civil Procedure, Division 10 (commencing with Section 6200) of the Family Code (Prevention of Domestic Violence), and Chapter 11 (commencing with Section 15600) of Part 3 of Division 9 of the Welfare and Institutions Code (Elder Abuse and Dependent Adult Civil Protection Act).