Stricken language would be deleted from and underlined language would be added to present law. Act 828 of the Regular Session

1		rossed:	нз/13/15 s3/19/15 A Bill		
2			A DIII		
3	Regular Session, 2015			HOUSE BILL 1203	
4					
5	5 1	I			
6					
7	Б				
8	For An Act To Be Entitled				
9	AN ACT CONCERNING THE USE OF DEADLY PHYSICAL FORCE IN				
10	DEFENSE OF A PERSON; AND FOR OTHER PURPOSES.				
11					
12		C	•		
13	Subtitle				
14	CONCERNING THE USE OF DEADLY PHYSICAL				
15		FENSE OF	A PERSON.		
16					
17					
18		ASSEMBLY	OF THE STATE OF AN	RKANSAS:	
19					
20	SECTION 1. Arkansas Code § 5-2-607 is amended to read as follows:				
21	5-2-607. Use of deadly physical force in defense of a person.				
22	(a) A person is justified in using deadly physical force upon another				
23		•		-	
24		or about	to commit a felony	involving force or	
25					
26			se unlawful deadly p	-	
27	-	•		fe or imminently about	
28	-	escribed	in § 9-15-103 from	the continuation of a	
29	pattern of domestic abuse.				
30					
31	person knows that he or she can avoid the necessity of using deadly physical				
32	force <del>with complete safety</del> :				
33	(1)(A) By retrea	iting.			
34	(B) Howeve	er, a per	rson is not required	d to retreat if the	
35	person is:				
36	<u>(i)</u>	<u>Unable t</u>	to retreat with com	plete safety;	



.

HB1203

1	(i)(ii) In the person's dwelling or on the curtilage			
2	surrounding the person's dwelling and was not the original aggressor; or			
3	<del>(ii)(iii)</del> A law enforcement officer or a person			
4	assisting at the direction of a law enforcement officer; or			
5	(2) By <u>With complete safety by</u> surrendering possession of			
6	property to a person claiming a lawful right to possession of the property.			
7	(c) As used in this section:			
8	(1) "Curtilage" means the land adjoining a dwelling that is			
9	convenient for residential purposes and habitually used for residential			
10	purposes, but not necessarily enclosed, and includes an outbuilding that is			
11	directly and intimately connected with the dwelling and in close proximity to			
12	the dwelling; and			
13	(2) "Domestic abuse" means:			
14	(A) Physical harm, bodily injury, assault, or the			
15	infliction of fear of imminent physical harm, bodily injury, or assault			
16	between family or household members; or			
17	(B) Any sexual conduct between family or household			
18	members, whether minors or adults, that constitutes a crime under the laws of			
19	this state.			
20				
21	/s/Hammer			
22				
23				
24	APPROVED: 03/31/2015			
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				

2