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A bill to be entitled  
 An act relating to justifiable use of force; amending  
 s. 776.013, F.S.; specifying that a person who is  
 attacked or threatened with the use of force in a  
 dwelling, residence, or vehicle in which the person  
 has the right to be has no duty to retreat and has the  
 right to stand his or her ground by using or  
 threatening to use force upon a reasonable belief of  
 necessity to prevent imminent death, great bodily  
 harm, or a forcible felony; conforming a cross-  
 reference; deleting provisions relating to using or  
 threatening to use force under certain circumstances;  
 providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (1) and (2) of section  
 776.013, Florida Statutes, are redesignated as subsections (2)  
 and (3), respectively, a new subsection (1) is added to that  
 section, and present subsections (2) and (3) of that section are  
 amended, to read:

776.013 Home protection; use or threatened use of deadly  
 force; presumption of fear of death or great bodily harm.—

(1) Notwithstanding any other provision of this chapter, a  
 person who is attacked or threatened with the use of force in a

26 | dwelling, residence, or vehicle in which the person has a right  
 27 | to be has no duty to retreat and has the right to stand his or  
 28 | her ground by using or threatening to use force, including  
 29 | deadly force, if he or she reasonably believes that such conduct  
 30 | is necessary to prevent imminent death or great bodily harm to  
 31 | himself, herself, or another or to prevent the imminent  
 32 | commission of a forcible felony.

33 |       ~~(3)(2)~~ The presumption set forth in subsection (2) ~~(1)~~  
 34 | does not apply if:

35 |       (a) The person against whom the defensive force is used or  
 36 | threatened has the right to be in or is a lawful resident of the  
 37 | dwelling, residence, or vehicle, such as an owner, lessee, or  
 38 | titleholder, and there is not an injunction for protection from  
 39 | domestic violence or a written pretrial supervision order of no  
 40 | contact against that person; or

41 |       (b) The person or persons sought to be removed is a child  
 42 | or grandchild, or is otherwise in the lawful custody or under  
 43 | the lawful guardianship of, the person against whom the  
 44 | defensive force is used or threatened; or

45 |       (c) The person who uses or threatens to use defensive  
 46 | force is engaged in a criminal activity or is using the  
 47 | dwelling, residence, or occupied vehicle to further a criminal  
 48 | activity; or

49 |       (d) The person against whom the defensive force is used or  
 50 | threatened is a law enforcement officer, as defined in s.

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51 943.10(14), who enters or attempts to enter a dwelling,  
52 residence, or vehicle in the performance of his or her official  
53 duties and the officer identified himself or herself in  
54 accordance with any applicable law or the person using or  
55 threatening to use force knew or reasonably should have known  
56 that the person entering or attempting to enter was a law  
57 enforcement officer.

58 ~~(3) A person who is attacked in his or her dwelling,~~  
59 ~~residence, or vehicle has no duty to retreat and has the right~~  
60 ~~to stand his or her ground and use or threaten to use force,~~  
61 ~~including deadly force, if he or she uses or threatens to use~~  
62 ~~force in accordance with s. 776.012(1) or (2) or s. 776.031(1)~~  
63 ~~or (2).~~

64 Section 2. This act shall take effect July 1, 2017.