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A bill to be entitled
 An act relating to use of deadly force; amending s.
 776.013, F.S.; requiring an overt act to support a belief
 that the use of deadly force for specified purposes is
 necessary; defining the term "unlawful activity" for
 specified purposes; amending s. 776.032, F.S.; providing
 that immunity from civil and criminal liability for
 certain uses of deadly force does not apply to injuries to
 children and bystanders who are not affiliated with the
 overt act; providing an effective date.

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

Section 1. Subsection (3) of section 776.013, Florida
 Statutes, is amended, and paragraph (d) is added to subsection
 (5) of that section, to read:

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

(3) A person who is not engaged in an unlawful activity
 and who is attacked in any other place where he or she has a
 right to be has no duty to retreat and has the right to stand
 his or her ground and meet force with force, including deadly
 force if he or she reasonably believes due to an overt act that
 it is necessary to do so to prevent death or great bodily harm
 to himself or herself or another or to prevent the commission of
 a forcible felony.

(5) As used in this section, the term:

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28 (d) "Unlawful activity" means activity undertaken by a
29 person that is prohibited by the laws of this state.

30 Section 2. Subsection (1) of section 776.032, Florida
31 Statutes, is amended to read:

32 776.032 Immunity from criminal prosecution and civil
33 action for justifiable use of force.--

34 (1) A person who uses force as permitted in s. 776.012, s.
35 776.013, or s. 776.031 is justified in using such force and is
36 immune from criminal prosecution and civil action for the use of
37 such force; however, such immunity shall not apply to injuries
38 to children and bystanders who are not affiliated with the overt
39 act. Immunity will be granted, unless the person against whom
40 force was used is a law enforcement officer, as defined in s.
41 943.10(14), who was acting in the performance of his or her
42 official duties and the officer identified himself or herself in
43 accordance with any applicable law or the person using force
44 knew or reasonably should have known that the person was a law
45 enforcement officer. As used in this subsection, the term
46 "criminal prosecution" includes arresting, detaining in custody,
47 and charging or prosecuting the defendant.

48 Section 3. This act shall take effect July 1, 2007.