

By the Committees on Rules; and Judiciary; and Senator Simmons

595-03068-17

20171052c2

1 A bill to be entitled
2 An act relating to justifiable use of force; amending
3 s. 776.013, F.S.; deleting a requirement that a person
4 first be attacked in his or her dwelling, residence,
5 or vehicle before using or threatening to use force;
6 providing applicability; providing an effective date.
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8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Subsection (3) of section 776.013, Florida
11 Statutes, is amended to read:

12 776.013 Home protection; use or threatened use of deadly
13 force; presumption of fear of death or great bodily harm.—

14 (3) A person who is ~~attacked~~ in his or her dwelling,
15 residence, or vehicle has no duty to retreat and has the right
16 to stand his or her ground and use or threaten to use force,
17 including deadly force, if he or she uses or threatens to use
18 force in accordance with s. 776.012(1) or (2) or s. 776.031(1)
19 or (2), except that the condition imposed in those subsections,
20 which requires that the person using or threatening to use
21 deadly force not be engaged in a criminal activity, does not
22 apply to nonviolent misdemeanors.

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