

HB 1461 -- Defensive Use of Force

Sponsor: Ruestman

This bill allows the justifiable use of deadly force in several new circumstances against persons who pose an imminent threat of harm. The duty to retreat before using either deadly force or mere physical force is not required as long as the person using deadly force or physical force is not unlawfully present at the location where the altercation occurs.

Anyone who takes actions that create a reasonable fear of imminent harm in another person and who unlawfully enters or remains in vehicles, ships, airplanes, churches, schools, government offices, entertainment establishments, public transportation, or any structure where a person lives or conducts business may be subject to the legitimate use of deadly force.

Anyone who uses force in a lawful manner will be immune from both civil and criminal penalties. If anyone sues a person who is ultimately found to have acted lawfully in using defensive force, the plaintiff and his or her attorney must pay court costs and any expenses incurred by the defendant as a result of the lawsuit.