
DIGEST

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Burrell

HB No. 1100

Abstract: Provides with respect to the pursuit of an aggressor when force, violence, or deadly force is used to prevent the commission of a crime involving death or serious bodily injury or unlawful entry.

Present law provides that a person who is not engaged in unlawful activity and who is in a place where he or she has a right to be shall have no duty to retreat before using force, violence, or deadly force and may stand his ground and meet force with force.

Proposed law provides that, notwithstanding present law, a person shall not be permitted to pursue an aggressor if the aggressor retreats before force, violence, or deadly force is used.

Present law provides that no finder of fact shall be permitted to consider the possibility of retreat as a factor in determining whether or not the person who used force, violence, or deadly force in defense of his person or property had a reasonable belief that force, violence, or deadly force was reasonable and apparently necessary to prevent a forcible offense or to prevent the unlawful entry.

Proposed law provides that, notwithstanding present law, a finder of fact may consider whether or not the person who used force, violence, or deadly force pursued the aggressor if the aggressor retreated before force, violence, or deadly force was used.

(Amends R.S. 14:19(C) and (D) and 20(C) and (D))