

# LEGAL SERVICES

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## MEMORANDUM

February 26, 2010

**SUBJECT:** Sectional Summary - HB 381 (Work Order No. 26-LS1534R)

**TO:** Representative Mark Neuman  
Attn: Jim Ellis

**FROM:** Gerald P. Luckhaupt  
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill -- the bill itself is the best statement of its contents.

**Section 1 of the bill** amends AS 11.81.335(b) by adding to the places or locations where a person can use deadly force in self-defense without having to first leave the area.

**Section 2 of the bill** amends AS 11.81 by adding a new section that establishes that certain situations constitute prima facie evidence that a person's belief that the use of deadly force was reasonable; and requires law enforcement to make a probable cause determination that the force used by a person was unlawful before the person may be arrested.

GPL:plm  
10-111.plm