

26-LS1534/E

Luckhaupt

3/23/10

CS FOR HOUSE BILL NO. 381()**IN THE LEGISLATURE OF THE STATE OF ALASKA****TWENTY-SIXTH LEGISLATURE - SECOND SESSION****BY****Offered:****Referred:****Sponsor(s): REPRESENTATIVES NEUMAN, Stoltze, Peggy Wilson, Keller, Ramras, Tammie Wilson, Olson, Kelly****A BILL****FOR AN ACT ENTITLED****"An Act relating to self defense."****BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:***** Section 1.** AS 11.81.335(b) is amended to read:

(b) A person may not use deadly force under this section if the person knows that, with complete personal safety and with complete safety as to others being defended, the person can avoid the necessity of using deadly force by leaving the area of the encounter, except there is no duty to leave the area if the person is

(1) on premises

(A) that the person owns or leases;

(B) where the person resides, temporarily or permanently; or

(C) as a guest or express or implied agent of the owner, lessor,

or resident;

(2) a peace officer acting within the scope and authority of the officer's employment or a person assisting a peace officer under AS 11.81.380;

(3) in a building where the person works in the ordinary course of the

1 person's employment; [OR]

2 (4) protecting a child or a member of the person's household; or

3 (5) in any place where the person has a right to be.