

CS FOR HOUSE BILL NO. 293(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 2/12/96

Referred: Rules

Sponsor(s): REPRESENTATIVES VEZEY, James, Kohring

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the use of force in defense of persons or property."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 11.81.335(a) is amended to read:

4 (a) A [EXCEPT AS PROVIDED IN (b) OF THIS SECTION, A] person may
5 use deadly force upon another person when and to the extent

6 (1) the use of nondeadly force is justified under AS 11.81.330(a)
7 [AS 11.81.330]; and

8 (2) the person reasonably believes the use of deadly force is necessary
9 for self defense against death, serious physical injury, kidnapping, sexual assault in the
10 first degree, sexual assault in the second degree, or robbery in any degree.

11 * Sec. 2. AS 11.81.350 is amended by adding a new subsection to read:

12 (e) An occupant of a dwelling is justified in using physical force, including
13 deadly force, against another person when the other person has made an unlawful entry
14 into the dwelling and when the occupant reasonably believes that the other person has

1 committed a crime in the dwelling, in addition to the uninvited entry, or is committing
2 or intends to commit a crime against a person or property, in addition to the uninvited
3 entry, and when the occupant reasonably believes that the other person might use any
4 physical force, no matter how slight, against any occupant. An occupant of a dwelling
5 using physical force, including deadly force, in accordance with this subsection is
6 immune from criminal prosecution for the use of the deadly or nondeadly force and
7 from civil liability for injuries or death resulting from the use of the deadly or
8 nondeadly force.

9 * **Sec. 3.** AS 11.81.335(b) is repealed.