

CS FOR HOUSE BILL NO. 381(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/29/10

Referred: Finance

Sponsor(s): REPRESENTATIVES NEUMAN, Stoltze, Peggy Wilson, Keller, Ramras, Tammie Wilson, Olson, Kelly, Millett, Hawker, Johnson, Dahlstrom, Lynn, Chenault

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to self defense in any place where a person has a right to be."**

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

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

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

8 (1) on premises

9 (A) that the person owns or leases;

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

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

12 or resident;

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

15 (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.**