

1 HB103
2 105960-1
3 By Representative Williams (J)
4 RFD: Judiciary
5 First Read: 12-JAN-10
6 PFD: 01/06/2010

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8 SYNOPSIS: Existing law provides for certain duties
9 owed by property owners to persons on the property
10 owner's property.

11 This bill would provide a property owner
12 limited immunity from civil liability in defense of
13 his or her self, others, and their property.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 Relating to defense of self, others, and property;
20 to provide limited immunity from civil liability.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) As used in this act, property shall
23 mean real property and buildings, structures, and improvements
24 thereon.

25 (b) Any person who unlawfully enters upon the
26 property of another for purposes of engaging in criminal
27 conduct assumes the risk for any injury caused to him or her

1 by the reasonable and proportionate acts of the owner or his
2 or her agent in resisting the commission of the criminal
3 conduct.

4 (c) The provisions of this section do not apply to
5 the creation of a hazardous or dangerous condition on the
6 property designed to prevent criminal conduct or cause injury
7 to a person engaging in criminal conduct.

8 Section 2. This act shall become effective on the
9 first day of the third month following its passage and
10 approval by the Governor, or its otherwise becoming law.