- 1 HB46
- 2 134951-2
- 3 By Representative Williams (J)
- 4 RFD: Judiciary
- 5 First Read: 07-FEB-12
- 6 PFD: 01/23/2012

1	ENGROSSED
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	Relating to defense of self, others, and property;
9	to provide limited immunity from civil liability.
10	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
11	Section 1. (a) As used in this section, property
12	shall mean real property and buildings, structures, and
13	improvements thereon.
14	(b) Any person who unlawfully enters or attempts to
15	enter upon the property of another for the purposes of
16	engaging in criminal conduct, for purposes of civil liability
17	only, assumes the risk for any injury caused or resulting to
18	him or her due to the commission or effort to commit criminal
19	conduct; provided the property owner acts as a reasonably
20	prudent person would act under same or similar circumstances.
21	The owner and his or her agents shall be immune from any civil
22	liability due to the reasonable and proportionate acts of the
23	owner or his or her agents in resisting the commission of the
24	criminal conduct; provided that the person acts as a prudent
25	person would act under same or similar circumstances.
26	(c) The provisions of this section do not apply to
27	the creation of a hidden hazardous or hidden dangerous

condition on the property designed to prevent criminal conduct
or cause injury to a person engaging in criminal conduct.

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

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3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on Judiciary 07-FEB-12
8 9 10	Read for the second time and placed on the calendar
11 12 13	Read for the third time and passed as amended 23-FEB-12 Yeas 89, Nays 0, Abstains 1
14 15 16	Greg Pappas Clerk