

Senate Bill 280

By: Senators Fort of the 39th, Orrock of the 36th, Lucas of the 26th, Jones of the 10th, James of the 35th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 3 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to justification and excuse, so as to repeal the statute relating to no duty to retreat  
3 prior to the use of force and to correct a cross-reference; to provide for related matters; to  
4 provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 2 of Chapter 3 of Title 16 of the Official Code of Georgia Annotated, relating to  
8 justification and excuse, is amended by repealing Code Section 16-3-23.1, relating to no duty  
9 to retreat prior to the use of force in self-defense.

10 style="text-align:center">**SECTION 2.**

11 Said article is further amended by revising Code Section 16-3-24.2, relating to immunity  
12 from prosecution, as follows:

13 "16-3-24.2.

14 A person who uses threats or force in accordance with Code Section 16-3-21, 16-3-23,  
15 ~~16-3-23.1~~, or 16-3-24 shall be immune from criminal prosecution therefor unless in the use  
16 of deadly force, such person utilizes a weapon the carrying or possession of which is  
17 unlawful by such person under Part 2 or 3 of Article 4 of Chapter 11 of this title."

18 style="text-align:center">**SECTION 3.**

19 This Act shall become effective upon its approval by the Governor or upon its becoming law  
20 without such approval.

21 style="text-align:center">**SECTION 4.**

22 All laws and parts of laws in conflict with this Act are repealed.