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H.473

Introduced by Representatives Grad of Moretown and LaLonde of South  
Burlington

Referred to Committee on

Date:

Subject: Crimes; justifiable homicide

Statement of purpose of bill as introduced: This bill proposes to clarify that a person may use deadly force to stop another person from committing murder, sexual assault, aggravated sexual assault, burglary, or robbery if the person reasonably believed that the deadly force was necessary to repel imminent peril to the person or to any other person.

An act relating to defense of others and justifiable homicide

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. § 2305 is amended to read:

§ 2305. JUSTIFIABLE HOMICIDE

If a person kills or wounds another under any of the circumstances enumerated below, ~~he or she~~ the person shall be guiltless:

- (1) in the just and necessary defense of the person's own life or the life of the person's spouse, parent, child, sibling, guardian, or ward; ~~or~~

1           (2) if the person reasonably believed that ~~he or she~~ the person, or any  
2           other person, was in imminent peril and that it was necessary to repel that peril  
3           with deadly force; in the forceful or violent suppression of a person attempting  
4           to commit murder, sexual assault, aggravated sexual assault, burglary, or  
5           robbery; or

6           (3) in the case of a law enforcement officer as defined in 20 V.S.A.  
7           § 2351(a) using force in compliance with 20 V.S.A. § 2368(b)(1)–(2) and (5)  
8           or deadly force in compliance with 20 V.S.A. § 2368(c)(1)–(4) and (6).

9           Sec. 2. EFFECTIVE DATE

10           This act shall take effect on passage.