Regular Session, 2014

HOUSE BILL NO. 826

BY REPRESENTATIVE WESLEY BISHOP

CRIME: Repeals Louisiana's "stand your ground" law

AN ACT

To repeal R.S. 14:19(C) and (D) and 20(C) and (D), relative to the justifiable use of force or violence; to repeal statutory authorization providing for no duty to retreat when a person is lawfully where they should be.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:19(C) and (D) and 20(C) and (D) are hereby repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Wesley Bishop HB No. 826

Abstract: Repeals "stand your ground" provisions regarding justifiable homicide and the use of force or violence in defense.

Present law provides for justification for homicide and the use of force or violence in defense.

Present law further provides that a person who is not engaged in unlawful activity and who is in a place where he or she has a right to be shall have no duty to retreat before using force, violence, or deadly force, and may stand his or her ground and meet force with force.

Present law further provides that no finder of fact shall be permitted to consider the possibility of retreat as a factor in determining whether or not the person who used force, violence, or deadly force had a reasonable belief that the force was reasonable and apparently necessary to prevent a violent or forcible felony involving life or great bodily harm or to prevent the unlawful entry.

Proposed law repeals present law.

(Repeals R.S. 14:19(C) and (D) and 20(C) and (D))