

HB 81 - AS INTRODUCED

2021 SESSION

21-0027

04/06

HOUSE BILL 81

AN ACT relative to the justified use of deadly force upon another person.

SPONSORS: Rep. True, Rock. 4; Rep. Edwards, Rock. 4; Rep. Abramson, Rock. 37; Rep. Greene, Hills. 37; Rep. Binford, Graf. 15; Rep. Baldasaro, Rock. 5

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill permits the use of deadly force in defense of another person.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

21-0027

04/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the justified use of deadly force upon another person.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Statement of Purpose. The general court finds that inhabitants have both a right and a duty to defend their own family and the occupants of their home. When a private citizen is faced with an immediate threat to someone in his or her household, the U.S. Supreme Court has held that, "Detached reflection cannot be demanded in the presence of an uplifted knife." *Brown v. United States*, 256 U.S. 335 (1921). Further, the New Hampshire constitution, part first, article 2-a reads, "All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state."

2 Justification; Physical Force in Defense of a Person. Amend RSA 627:4, II(d) to read as follows:

(d) Is likely to use any unlawful force in the commission of a felony against the actor ***or another*** within such actor's dwelling or its curtilage.

3 Effective Date. This act shall take effect 60 days after its passage.