

1 S.184

2 Introduced by Senators Benning, Sears, Brock, Chittenden, Collamore,  
3 Cummings, Ingalls, Lyons, McCormack, Nitka, Parent,  
4 Perchlik, Starr, Terenzini, Westman and White

5 Referred to Committee on

6 Date:

7 Subject: Crimes; justifiable homicide

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

13 An act relating to defense of others and justifiable homicide

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

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

16 § 2305. JUSTIFIABLE HOMICIDE

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

19 (1) in the just and necessary defense of the person's own life or the life  
20 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.