

S.184

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

(a) 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~~ any other person; ~~or~~

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

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

(b) This section shall not be construed to limit or infringe upon defenses granted at common law.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.