

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 184
3 entitled “An act relating to defense of others and justifiable homicide”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

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

8 § 2305. JUSTIFIABLE HOMICIDE

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

11 (1) in the just and necessary defense of the person’s own life or the life
12 of ~~the person’s spouse, parent, child, sibling, guardian, or ward~~ any other
13 person; ~~or~~

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

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

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

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on passage.

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12 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE