

REDEFINE 'DUTY TO FLEE'

House Bill 6453
Sponsor: Rep. Brian Palmer
Committee: Criminal Justice

Complete to 10-24-02

A SUMMARY OF HOUSE BILL 6453 AS INTRODUCED 9-24-02

Chapter VIII of the Code of Criminal Procedures (MCL 760.1 to 777.69) concerns trials. House Bill 6453 would add section 21c to the chapter to revise the definition of “duty to flee”. The bill would specify that, in a prosecution for any crime involving the use or attempted use of deadly force, the fact that the person acted in lawful self-defense or lawful defense of another person could be raised as a defense. However, under the bill, the duty to retreat before using deadly force could not apply to any premises in which the person was living, nor to the curtilage (the enclosed space of ground and buildings immediately surrounding a dwelling-house) of that premises.

MCL 768.21c

House Bill 6453 (10-24-02)

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.