

By Senator Thurston

33-01216-21

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1                   A bill to be entitled  
2       An act relating to the use or threatened use of deadly  
3       force; amending s. 776.012, F.S.; deleting provisions  
4       justifying a person's use or threatened use of deadly  
5       force to prevent imminent death or great bodily harm  
6       to himself or herself or another or to prevent the  
7       imminent commission of a forcible felony; providing an  
8       effective date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

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12       Section 1. Section 776.012, Florida Statutes, is amended to  
13       read:

14       776.012 Use or threatened use of force in defense of  
15       person.—

16       ~~(1)~~ A person is justified in using or threatening to use  
17       force, except deadly force, against another when and to the  
18       extent that the person reasonably believes that such conduct is  
19       necessary to defend himself or herself or another against the  
20       other's imminent use of unlawful force. A person who uses or  
21       threatens to use force in accordance with this subsection does  
22       not have a duty to retreat before using or threatening to use  
23       such force.

24       ~~(2) A person is justified in using or threatening to use~~  
25       ~~deadly force if he or she reasonably believes that using or~~  
26       ~~threatening to use such force is necessary to prevent imminent~~  
27       ~~death or great bodily harm to himself or herself or another or~~  
28       ~~to prevent the imminent commission of a forcible felony. A~~  
29       ~~person who uses or threatens to use deadly force in accordance~~

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30 ~~with this subsection does not have a duty to retreat and has the~~  
31 ~~right to stand his or her ground if the person using or~~  
32 ~~threatening to use the deadly force is not engaged in a criminal~~  
33 ~~activity and is in a place where he or she has a right to be.~~

34 Section 2. This act shall take effect July 1, 2021.