

REFERENCE TITLE: justification; deadly physical force exceptions

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1134

Introduced by
Senators Mendez: Alston, Gonzales, Hernandez, Miranda

AN ACT

AMENDING SECTION 13-405, ARIZONA REVISED STATUTES; RELATING TO
JUSTIFICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-405, Arizona Revised Statutes, is amended to
3 read:
4 13-405. Justification; use of deadly physical force;
5 exceptions
6 A. A person is justified in threatening or using deadly physical
7 force against another:
8 1. If ~~such~~ THE person would be justified in threatening or using
9 physical force against the other under section 13-404, and
10 2. When and to the degree a reasonable person would believe that
11 deadly physical force is immediately necessary to protect himself against
12 the other's use or attempted use of unlawful deadly physical force.
13 B. A PERSON IS NOT JUSTIFIED IN THREATENING OR USING DEADLY
14 PHYSICAL FORCE AGAINST ANOTHER IF THE PERSON EITHER:
15 1. LEAVES A PLACE OF SAFETY AND ACTIVELY PURSUES THE OTHER PERSON
16 WHO IS ENGAGED IN A LAWFUL ACTIVITY.
17 2. PURSUES THE OTHER PERSON AFTER A LAW ENFORCEMENT OFFICER
18 REQUESTS THAT THE PERSON RETREAT TO A PLACE OF SAFETY.
19 ~~B.~~ C. A person has no duty to retreat before threatening or using
20 deadly physical force pursuant to this section if the person is in a place
21 where the person may legally be and is not engaged in an unlawful act.