

REFERENCE TITLE: duty to retreat; repeal

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

SB 1421

Introduced by
Senators Hernandez: Gabaldón, Hatathlie, Mendez, Sundareshan;
Representatives Ortiz, Sandoval, Seaman, Villegas

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 ~~A.~~ A person is justified in threatening or using deadly physical
6 force against another:

7 1. If ~~such~~ THE person would be justified in threatening or using
8 physical force against the other under section 13-404, and

9 2. When and to the degree a reasonable person would believe that
10 deadly physical force is immediately necessary to protect himself against
11 the other's use or attempted use of unlawful deadly physical force.

12 ~~B. A person has no duty to retreat before threatening or using~~
13 ~~deadly physical force pursuant to this section if the person is in a place~~
14 ~~where the person may legally be and is not engaged in an unlawful act.~~