

SENATE AMENDMENT 1 TO hb2007.

deleting everything in the Title on lines 9 through 12 of page 1 and substituting therefor the new Title as follows: "AN ACT TO AMEND ARKANSAS CODE § 5-2-607 CONCERNING THE USE OF DEADLY PHYSICAL FORCE IN DEFENSE OF A PERSON; AND FOR OTHER PURPOSES";

AND

by deleting everything in the Subtitle on lines 16 through 18 of page 1 and substituting therefor the new Subtitle as follows: "AN ACT CONCERNING THE USE OF DEADLY PHYSICAL FORCE IN DEFENSE OF A PERSON.";

and

by deleting everything in SECTION 1. on lines 23 through 31 of page 1 and substituting therefor a new SECTION. 1. as follows:

"SECTION 1. Arkansas Code § 5-2-607 is amended to read as follows:

"5-2-607. Use of deadly physical force in defense of a person.

(a) A person is justified in using deadly physical force upon another person if he reasonably believes that the other person is:

(1) Committing or about to commit a felony involving force or violence; ~~or~~

(2) Using or about to use unlawful deadly physical force; or

(3) Imminently endangering his or her life or imminently about to victimize the person as described in A.C.A. § 9-15-103(a)(2), from the continuation of a pattern of domestic abuse. For the purposes of this section "domestic abuse" shall be that described in A.C.A § 9-15-103(a).

(b) A person may not use deadly physical force in self defense if he knows that he can avoid the necessity of using that force with complete safety:

(1) By retreating, except that a person is not required to retreat if he is in his dwelling and was not the original aggressor, or if he is a law enforcement officer or a person assisting at the direction of a law enforcement officer; or

(2) By surrendering possession of property to a person claiming a lawful right thereto.".