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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2942

03/10/2016 Authored by Newberger

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; clarifying the justifiable taking of a life statute;
1.3 amending Minnesota Statutes 2014, section 609.065.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 609.065, is amended to read:

1.6 **609.065 JUSTIFIABLE TAKING OF LIFE; USE OF DEADLY FORCE.**

1.7 Subdivision 1. **General principle.** The intentional taking of the life of another is not
1.8 authorized by section 609.06, except when necessary in resisting or preventing:

1.9 (1) the commission of an offense ~~which~~ that the ~~actor~~ person reasonably believes
1.10 exposes the ~~actor~~ person or another to great bodily harm or death, ~~or preventing~~ regardless
1.11 of the location where this occurs; or

1.12 (2) the commission of a felony in the ~~actor's~~ person's place of abode.

1.13 Subd. 2. **Degree of force; retreat.** A person acting in accordance with subdivision 1
1.14 may use all force and means, including deadly force, that the person in good faith believes
1.15 is required to succeed in defense. The person may meet force with superior force when the
1.16 person's objective is defensive, the person is not required to retreat, and the person may
1.17 continue defensive actions against an assailant until the danger has ended.

1.18 **EFFECTIVE DATE.** This section is effective the day following final enactment
1.19 and applies to acts committed on or after that date.