HOUSE BILL 67

By: Delegate Conaway
Requested: August 28, 2013
Introduced and read first time: January 8, 2014
Assigned to: Judiciary

A BILL ENTITLED

AN ACT concerning

Criminal Law – Self-Defense – Duty to Retreat

FOR the purpose of establishing that a person charged with a crime may assert the defense of self-defense only under certain circumstances that negate the duty to attempt to retreat or escape the danger; and generally relating to the duty to retreat when attacked.

BY adding to

Article – Criminal Law
Section 1–402
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Criminal Law

1–402.

A PERSON CHARGED WITH A CRIME UNDER THIS ARTICLE MAY ASSERT THE DEFENSE OF SELF–DEFENSE ONLY IF THE PERSON, WHEN ATTACKED:

(1) DID NOT HAVE THE ABILITY TO RETREAT OR ESCAPE THE DANGER; OR

(2) COULD NOT RETREAT OR ESCAPE THE DANGER WHILE MAINTAINING THE PERSON’S SAFETY.
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.