

# HOUSE BILL 67

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4lr0440

(PRE-FILED)

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By: **Delegate Conaway**

Requested: August 28, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judiciary

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## 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.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.