

SENATE BILL 449

E1
SB 761/07 – JPR

8lr1099

By: **Senators Pipkin and Brinkley**
Introduced and read first time: January 31, 2008
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Self-Defense – No Duty to Retreat or Seek Safety by Escape**

3 FOR the purpose of authorizing a person charged with a certain crime to assert a
4 claim of self-defense even though the person failed to retreat or seek safety by
5 escape; and generally relating to the defense of self-defense.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 3–209
9 Annotated Code of Maryland
10 (2002 Volume and 2007 Supplement)

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

13 **Article – Criminal Law**

14 3–209.

15 A person charged with a crime under § 3–202, § 3–203, § 3–204, or § 3–205 of
16 this subtitle may assert any judicially recognized defense, **INCLUDING A CLAIM OF**
17 **SELF-DEFENSE EVEN THOUGH THE PERSON FAILED TO RETREAT OR SEEK**
18 **SAFETY BY ESCAPE.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2008.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

