

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H.B. 1192
May 29, 2012
HOUSE PRINCIPAL CLERK

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HOUSE DRH60187-LH-183 (04/05)

Short Title: Amend Castle Doctrine/Repeal Stand Ground. (Public)

Sponsors: Representative Adams.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW REGARDING THE "CASTLE DOCTRINE" AND TO
3 REPEAL THE "STAND YOUR GROUND LAWS" SO THAT THE COMMON LAW
4 CONTINUES TO GOVERN THE LAWFUL USE OF FORCE IN DEFENSE OF ONE'S
5 SELF OR ANOTHER PERSON.
6 The General Assembly of North Carolina enacts:
7 SECTION 1. G.S. 14-51.2 is repealed.
8 SECTION 2. G.S. 14-51.3 is repealed.
9 SECTION 3. G.S. 14-51.4 is repealed.
10 SECTION 4. Article 14 of Chapter 14 of the General Statutes is amended by
11 adding a new section to read:
12 "**§ 14-51.5. Use of deadly physical force against an intruder.**
13 (a) A lawful occupant within a home or other place of residence is justified in using any
14 degree of force that the occupant reasonably believes is necessary, including deadly force,
15 against an intruder to prevent a forcible entry into the home or residence or to terminate the
16 intruder's unlawful entry (i) if the occupant reasonably apprehends that the intruder may kill or
17 inflict serious bodily harm to the occupant or others in the home or residence or (ii) if the
18 occupant reasonably believes that the intruder intends to commit a felony in the home or
19 residence.
20 (b) A lawful occupant within a home or other place of residence does not have a duty to
21 retreat from an intruder in the circumstances described in this section.
22 (c) This section is not intended to repeal, expand, or limit any other defense that may
23 exist under the common law."
24 SECTION 5. This act becomes effective December 1, 2012, and applies to
25 offenses committed on or after that date.



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