

HOUSE BILL 67

E1

4lr0440

(PRE-FILED)

By: **Delegate Conaway**

Requested: August 28, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Self-Defense – Duty to Retreat**

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

7 BY adding to

8 Article – Criminal Law

9 Section 1-402

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2013 Supplement)

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

14 **Article – Criminal Law**

15 **1-402.**

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

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

20 **(2) COULD NOT RETREAT OR ESCAPE THE DANGER WHILE**
21 **MAINTAINING THE PERSON’S SAFETY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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