

## SENATE BILL No. 268

By Committee on Judiciary

2-5

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9 AN ACT relating to crimes and punishment; concerning use of force;  
10 amending K.S.A. 2006 Supp. 21-3211 and 21-3212 and repealing the  
11 existing sections; also repealing K.S.A. 2006 Supp. 21-3218 and 21-  
12 3219.

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14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 2006 Supp. 21-3211 is hereby amended to read as  
16 follows: 21-3211. ~~(a)~~ A person is justified in the use of force against ~~an-~~  
17 ~~other an aggressor~~ when and to the extent it appears to such person and  
18 such person reasonably believes that such ~~force conduct~~ is necessary to  
19 defend such person or a third person against such other's imminent use  
20 of unlawful force.

21 ~~(b) A person is justified in the use of deadly force under circum-~~  
22 ~~stances described in subsection (a) if such person reasonably believes~~  
23 ~~deadly force is necessary to prevent imminent death or great bodily harm~~  
24 ~~to such person or a third person.~~

25 ~~(c) Nothing in this section shall require a person to retreat if such~~  
26 ~~person is using force to protect such person or a third person.~~

27 Sec. 2. K.S.A. 2006 Supp. 21-3212 is hereby amended to read as  
28 follows: 21-3212. ~~(a)~~ A person is justified in the use of force against an-  
29 other when and to the extent that it appears to such person and such  
30 person reasonably believes that such ~~force conduct~~ is necessary to prevent  
31 or terminate such other's unlawful entry into or attack upon such person's  
32 dwelling ~~or occupied vehicle~~.

33 ~~(b) A person is justified in the use of deadly force to prevent or ter-~~  
34 ~~minate unlawful entry into or attack upon any dwelling or occupied ve-~~  
35 ~~hicle if such person reasonably believes deadly force is necessary to pre-~~  
36 ~~vent imminent death or great bodily harm to such person or another.~~

37 ~~(c) Nothing in this section shall require a person to retreat if such~~  
38 ~~person is using force to protect such person's dwelling or occupied ve-~~  
39 ~~hicle.~~

40 Sec. 3. K.S.A. 2006 Supp. 21-3211, 21-3212, 21-3218 and 21-3219  
41 are hereby repealed.

42 Sec. 4. This act shall take effect and be in force from and after its  
43 publication in the statute book.