

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 945
Judiciary I Committee Substitute Adopted 5/12/93

Short Title: Use of Deadly Force Against Intruder.

(Public)

Sponsors:

Referred to:

April 22, 1993

1 A BILL TO BE ENTITLED
2 AN ACT PERMITTING THE USE OF DEADLY FORCE AGAINST AN INTRUDER
3 UNDER CERTAIN CIRCUMSTANCES.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 14 of the General Statutes is amended by adding a new
6 section to read:

7 "**§ 14-51.1. Use of deadly physical force against an intruder.**

8 (a) An occupant of a home or other place of residence is justified in using any
9 degree of force, including deadly force, against an intruder to prevent a forcible entry
10 into the home or residence (i) if there is a reasonable apprehension of death or serious
11 bodily harm to the occupant or others in the home or residence, or (ii) if there is a belief
12 that the intruder intends to commit a felony.

13 (b) If an intruder is inside a home or other place of residence following a forcible
14 entry, an occupant of a home or residence is justified in using any degree of force,
15 including deadly force, if such force is necessary, or, if not actually necessary, that the
16 occupant has reasonable grounds to believe it is necessary to protect himself or others
17 from death or serious bodily harm."

18 Sec. 2. This act becomes effective December 1, 1993.