

House Bill 1308

By: Representatives Taylor of the 55th, Morgan of the 39th, Long of the 61st, Bell of the 58th,
Brooks of the 63rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 3 of Title 16 of the Official Code of Georgia Annotated,
2 relating to justification and excuse, so as to repeal the statute relating to no duty to retreat
3 prior to the use of force and to correct a cross-reference; to provide for related matters; to
4 provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 3 of Title 16 of the Official Code of Georgia Annotated, relating to
8 justification and excuse, is amended by repealing Code Section 16-3-23.1, relating to no duty
9 to retreat prior to the use of force in self-defense.

10 **SECTION 2.**

11 Said article is further amended by revising Code Section 16-3-24.2, relating to immunity
12 from prosecution, as follows:

13 "16-3-24.2.

14 A person who uses threats or force in accordance with Code Section 16-3-21, 16-3-23,
15 ~~16-3-23.1~~, or 16-3-24 shall be immune from criminal prosecution therefor unless in the use
16 of deadly force, such person utilizes a weapon the carrying or possession of which is
17 unlawful by such person under Part 2 or 3 of Article 4 of Chapter 11 of this title."

18 **SECTION 3.**

19 This Act shall become effective upon its approval by the Governor or upon its becoming law
20 without such approval.

21 **SECTION 4.**

22 All laws and parts of laws in conflict with this Act are repealed.