

House Bill 931

By: Representatives Mitchell of the 88<sup>th</sup>, Thomas of the 56<sup>th</sup>, Jordan of the 77<sup>th</sup>, Jones of the 62<sup>nd</sup>, Gordon of the 163<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 16-3-23.1 of the Official Code of Georgia Annotated, relating to no  
2 duty to retreat prior to use of force in self-defense, so as to provide that persons who provoke  
3 a use of force cannot claim the benefit of the Code section; to provide for related matters; to  
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 16-3-23.1 of the Official Code of Georgia Annotated, relating to no duty to  
8 retreat prior to use of force in self-defense, is amended as follows:

9 "16-3-23.1.

10 (a) A person who uses threats or force in accordance with Code Section 16-3-21, relating  
11 to the use of force in defense of self or others, Code Section 16-3-23, relating to the use of  
12 force in defense of a habitation, or Code Section 16-3-24, relating to the use of force in  
13 defense of property other than a habitation, has no duty to retreat and has the right to stand  
14 his or her ground and use force as provided in said Code sections, including deadly force.

15 (b) A person shall be unable to claim the benefit of subsection (a) of this Code section if  
16 he or she:

17 (1) Instigates or initially provokes the use of force against himself or herself;

18 (2) Is attempting to commit, committing, or fleeing after the commission or attempted  
19 commission of a forcible felony or forcible misdemeanor as defined in Code Section  
20 16-1-3; or

21 (3) Was the aggressor."

22 style="text-align:center">**SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.