



General Assembly

January Session, 2021

Raised Bill No. 6396

LCO No. 2714



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE DUTY TO RETREAT IN A HOUSE OF RELIGIOUS WORSHIP.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-19 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) Except as provided in subsections (b) and (c) of this section, a
4 person is justified in using reasonable physical force upon another
5 person to defend himself or a third person from what he reasonably
6 believes to be the use or imminent use of physical force, and he may use
7 such degree of force which he reasonably believes to be necessary for
8 such purpose; except that deadly physical force may not be used unless
9 the actor reasonably believes that such other person is (1) using or about
10 to use deadly physical force, or (2) inflicting or about to inflict great
11 bodily harm.

12 (b) Notwithstanding the provisions of subsection (a) of this section, a
13 person is not justified in using deadly physical force upon another
14 person if he or she knows that he or she can avoid the necessity of using
15 such force with complete safety (1) by retreating, except that the actor

16 shall not be required to retreat (A) if he or she is in (i) a house of religious
17 worship owned by, or held in trust for the use of, any religious
18 organization, (ii) his or her dwelling, as defined in section 53a-100, or
19 (iii) his or her place of work and was not the initial aggressor, or (B) if
20 he or she is a peace officer or a special policeman appointed under
21 section 29-18b, or a private person assisting such peace officer or special
22 policeman at his or her direction, and acting pursuant to section 53a-22,
23 or (2) by surrendering possession of property to a person asserting a
24 claim of right thereto, or (3) by complying with a demand that he or she
25 abstain from performing an act which he or she is not obliged to
26 perform.

27 (c) Notwithstanding the provisions of subsection (a) of this section, a
28 person is not justified in using physical force when (1) with intent to
29 cause physical injury or death to another person, he provokes the use of
30 physical force by such other person, or (2) he is the initial aggressor,
31 except that his use of physical force upon another person under such
32 circumstances is justifiable if he withdraws from the encounter and
33 effectively communicates to such other person his intent to do so, but
34 such other person notwithstanding continues or threatens the use of
35 physical force, or (3) the physical force involved was the product of a
36 combat by agreement not specifically authorized by law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	53a-19

Statement of Purpose:

To eliminate the requirement that a person in a house of religious worship retreat before using deadly physical force to defend himself or herself or a third person.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]