

**HB 81 - AS INTRODUCED**

2021 SESSION

21-0027

04/06

HOUSE BILL **81**

AN ACT relative to the justified use of deadly force upon another person.

SPONSORS: Rep. True, Rock. 4; Rep. Edwards, Rock. 4; Rep. Abramson, Rock. 37; Rep. Greene, Hills. 37; Rep. Binford, Graf. 15; Rep. Baldasaro, Rock. 5

COMMITTEE: Criminal Justice and Public Safety

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ANALYSIS

This bill permits the use of deadly force in defense of another person.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to the justified use of deadly force upon another person.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 Statement of Purpose. The general court finds that inhabitants have both a right and a duty  
2 to defend their own family and the occupants of their home. When a private citizen is faced with an  
3 immediate threat to someone in his or her household, the U.S. Supreme Court has held that,  
4 "Detached reflection cannot be demanded in the presence of an uplifted knife." *Brown v. United*  
5 *States*, 256 U.S. 335 (1921). Further, the New Hampshire constitution, part first, article 2-a reads,  
6 "All persons have the right to keep and bear arms in defense of themselves, their families, their  
7 property and the state."

8           2 Justification; Physical Force in Defense of a Person. Amend RSA 627:4, II(d) to read as  
9 follows:

10                   (d) Is likely to use any unlawful force in the commission of a felony against the actor **or**  
11 **another** within such actor's dwelling or its curtilage.

12           3 Effective Date. This act shall take effect 60 days after its passage.