

By: Senator(s) Hawks

To: Judiciary

## SENATE BILL NO. 2428

1 AN ACT TO RELIEVE FROM CIVIL LIABILITY ANY PERSON WHO CAUSES  
2 BODILY HARM TO ANOTHER IN THE REASONABLE BELIEF THAT HIS ACTIONS  
3 WERE NECESSARY TO PREVENT BODILY HARM TO HIS PERSON, FAMILY  
4 MEMBERS, GUESTS, CO-WORKERS OR CUSTOMERS; AND FOR RELATED  
5 PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF  
6 MISSISSIPPI:

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8 SECTION 1. (1) Any person using force intended or likely to  
9 cause death or serious bodily injury within the person's own  
10 residence or place of business is presumed to have held a  
11 reasonable fear of imminent peril of death or serious bodily  
12 injury to self, family, a member of the household or a guest or  
13 customer when that force is used against another person, not a  
14 member of the family or household, who unlawfully and forcibly  
15 enters or has unlawfully and forcibly entered the residence or  
16 place of business, and the person using the force knew or had  
17 reason to believe that an unlawful and forcible entry occurred.

18 (2) Any person using physical force, including deadly  
19 physical force, in accordance with the provisions of this section  
20 shall be immune from any civil liability for injuries or death  
21 resulting from the use of such force.

22 SECTION 2. The codifier is directed to codify this act  
23 within Title 15, Chapter 1, Mississippi Code of 1972.

24 SECTION 3. This act shall take effect and be in force from  
25 and after July 1, 1999.