



# HOUSE BILL No. 6040

September 28, 2000, Introduced by Reps. Gosselin, DeVuyst and DeHart and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
(MCL 760.1 to 777.69) by adding section 21c to chapter VIII.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

CHAPTER VIII

1  
2 SEC. 21C. (1) IT IS A COMPLETE DEFENSE TO A CHARGE ARISING  
3 FROM THE ALLEGED USE OF DEADLY FORCE AGAINST AN INDIVIDUAL THAT  
4 THE DEFENDANT REASONABLY BELIEVED THE USE OF DEADLY FORCE WAS  
5 NECESSARY TO PREVENT THE INDIVIDUAL FROM FORCIBLY ENTERING THE  
6 DEFENDANT'S OCCUPIED DWELLING AGAINST THE DEFENDANT'S WILL,  
7 INCLUDING BUT NOT LIMITED TO A VIOLATION OR ATTEMPTED VIOLATION  
8 OF SECTION 110A OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL  
9 750.110A, BY THE INDIVIDUAL.

10 (2) THIS SECTION DOES NOT REQUIRE A DEFENDANT TO RETREAT OR  
11 ATTEMPT TO RETREAT BEFORE USING DEADLY FORCE.