SELF-DEFENSE ACT

Act 309 of 2006

AN ACT to clarify the rights and duties of self-defense and the defense of others.

History: 2006, Act 309, Eff. Oct. 1, 2006

The People of the State of Michigan enact:

780.971 Short title.

Sec. 1.

This act shall be known and may be cited as the "self-defense act".

History: 2006, Act 309, Eff. Oct. 1, 2006

780.972 Use of deadly force by individual not engaged in commission of crime; conditions.

Sec. 2.

(1) An individual who has not or is not engaged in the commission of a crime at the time he or she uses deadly force may use deadly force against another individual anywhere he or she has the legal right to be with no duty to retreat if either of the following applies:

(a) The individual honestly and reasonably believes that the use of deadly force is necessary to prevent the imminent death of or imminent great bodily harm to himself or herself or to another individual.

(b) The individual honestly and reasonably believes that the use of deadly force is necessary to prevent the imminent sexual assault of himself or herself or of another individual.

(2) An individual who has not or is not engaged in the commission of a crime at the time he or she uses force other than deadly force may use force other than deadly force against another individual anywhere he or she has the legal right to be with no duty to retreat if he or she honestly and reasonably believes that the use of that force is necessary to defend himself or herself or another individual from the imminent unlawful use of force by another individual.

History: 2006, Act 309, Eff. Oct. 1, 2006

780.973 Duty to retreat; effect of act on common law.

Sec. 3.

Except as provided in section 2, this act does not modify the common law of this state in existence on October 1, 2006 regarding the duty to retreat before using deadly force or force other than deadly force.

History: 2006, Act 309, Eff. Oct. 1, 2006

780.974 Right to use deadly force; effect of act on common law.

Sec. 4.

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This act does not diminish an individual's right to use deadly force or force other than deadly force in self-defense or defense of another individual as provided by the common law of this state in existence on October 1, 2006.

History: 2006, Act 309, Eff. Oct. 1, 2006

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