

REFERENCE TITLE: justification; defensive display; firearm

State of Arizona  
Senate  
Forty-ninth Legislature  
Second Regular Session  
2010

# SB 1021

Introduced by  
Senator Pearce R; Representatives Burges, Gowan; Senators Allen S, Harper;  
Representative Crump

AN ACT

AMENDING SECTIONS 13-405 AND 13-415, ARIZONA REVISED STATUTES; RELATING TO  
JUSTIFICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-405, Arizona Revised Statutes, is amended to  
3 read:

4 13-405. Justification; use of deadly physical force

5 A person is justified in threatening or using deadly physical force  
6 against another IF BOTH OF THE FOLLOWING APPLY:

7 1. If ~~such~~ THE person would be justified in threatening or using  
8 physical force against the other under section 13-404, ~~and~~ OR DEFENSIVELY  
9 DISPLAYING A FIREARM UNDER SECTION 13-421.

10 2. When and to the degree a reasonable person would believe that  
11 deadly physical force is immediately necessary to protect himself against the  
12 other's use or attempted use of unlawful deadly physical force.

13 Sec. 2. Section 13-415, Arizona Revised Statutes, is amended to read:

14 13-415. Justification; domestic violence

15 If there have been past acts of domestic violence as defined in section  
16 13-3601, subsection A against the defendant by the victim, the state of mind  
17 of a reasonable person under sections 13-404, 13-405, ~~and~~ 13-406 AND 13-421  
18 shall be determined from the perspective of a reasonable person who has been  
19 a victim of those past acts of domestic violence.