



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2843

defense of premises; definition

Purpose

Modifies the definition of *premises* for the purpose of justifying the use of physical force in defense of premises, to mean any real property or any structure, movable or immovable, permanent or temporary, adapted for either human residence or lodging, whether occupied or not.

Background

A person or the person's agent in lawful possession or control of premises is justified in threatening to use deadly physical force or in threatening or using physical force against another when and to the extent that a reasonable person would believe it immediately necessary to prevent or terminate the commission or attempted commission of a criminal trespass by the other person in or upon the premises. A person may use deadly physical force in defense of premises only in the defense of himself or third persons ([A.R.S. § 13-407](#)).

Additionally, a person is justified in threatening or using deadly physical force against another if: 1) such person would be justified in threatening or using physical force against the other in self-defense; and 2) when and to the degree a reasonable person would believe that deadly physical force is immediately necessary to protect himself against the other's use or attempted use of unlawful deadly physical force. A person has no duty to retreat before threatening or using deadly physical force if the person is in a place where the person may legally be and is not engaged in an unlawful act ([A.R.S. § 13-405](#)).

Premises means any real property and any structure, movable or immovable, permanent or temporary, adapted for both human residence and lodging whether occupied or not ([A.R.S. § 13-407](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Modifies the definition of *premises* to mean any real property or any structure, rather than any real property and any structure, movable or immovable, permanent or temporary, adapted for either human residence or lodging, rather than both human residence and lodging, whether occupied or not.
2. Makes technical changes.
3. Becomes effective on the general effective date.

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House Action

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| JUD | 2/14/24 | DP | 5-3-0-1 |
| 3 rd Read | 2/22/24 | | 31-28-0-0-1 |

Prepared by Senate Research

March 12, 2024

ZD/SB/cs