



General Assembly

February Session, 2020

***Raised Bill No. 5390***

LCO No. 2155



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE DUTY TO RETREAT IN A HOUSE OF RELIGIOUS WORSHIP.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-19 of the 2020 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2020*):

4 (a) Except as provided in subsections (b) and (c) of this section, a  
5 person is justified in using reasonable physical force upon another  
6 person to defend himself or a third person from what he reasonably  
7 believes to be the use or imminent use of physical force, and he may use  
8 such degree of force which he reasonably believes to be necessary for  
9 such purpose; except that deadly physical force may not be used unless  
10 the actor reasonably believes that such other person is (1) using or about  
11 to use deadly physical force, or (2) inflicting or about to inflict great  
12 bodily harm.

13 (b) Notwithstanding the provisions of subsection (a) of this section, a  
14 person is not justified in using deadly physical force upon another  
15 person if he or she knows that he or she can avoid the necessity of using

16 such force with complete safety (1) by retreating, except that the actor  
17 shall not be required to retreat (A) if he or she is in (i) a house of religious  
18 worship, (ii) his or her dwelling, as defined in section 53a-100, or (iii) his  
19 or her place of work and was not the initial aggressor, or (B) if he or she  
20 is a peace officer or a special policeman appointed under section 29-18b,  
21 or a private person assisting such peace officer or special policeman at  
22 his or her direction, and acting pursuant to section 53a-22, or (2) by  
23 surrendering possession of property to a person asserting a claim of  
24 right thereto, or (3) by complying with a demand that he or she abstain  
25 from performing an act which he or she is not obliged to perform.

26 (c) Notwithstanding the provisions of subsection (a) of this section, a  
27 person is not justified in using physical force when (1) with intent to  
28 cause physical injury or death to another person, he provokes the use of  
29 physical force by such other person, or (2) he is the initial aggressor,  
30 except that his use of physical force upon another person under such  
31 circumstances is justifiable if he withdraws from the encounter and  
32 effectively communicates to such other person his intent to do so, but  
33 such other person notwithstanding continues or threatens the use of  
34 physical force, or (3) the physical force involved was the product of a  
35 combat by agreement not specifically authorized by law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2020	53a-19

**Statement of Purpose:**

To eliminate the requirement that a person in a house of religious worship retreat before using deadly physical force to defend himself or herself or a third person.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*