

HOUSE BILL 11

By Reedy

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, Part 6, relative to justifications excluding criminal responsibility.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-11-614, is amended by deleting subsection (c) and substituting instead the following:

(c) A person is justified in using deadly force against another to protect real or tangible, movable property:

(1) If the person would be justified in using force against another under subsection (a) or (b);

(2) When and to the degree the person reasonably believes the deadly force is immediately necessary to prevent:

(A) The other's imminent commission of an act of arson, burglary, theft during hours of darkness, robbery, or aggravated robbery; or

(B) The other from fleeing immediately after committing an act of arson, burglary, theft during hours of darkness, robbery, or aggravated robbery; and

(3) The person reasonably believes:

(A) The real or tangible, movable property cannot be protected or recovered by any other means; or

(B) The use of force other than deadly force to protect or recover the real or tangible, movable property would expose the person or a third person to a substantial risk of death or serious bodily injury.

(d) Unless a person is justified in using deadly force under subsection (c) or as otherwise provided by law, a person is not justified in using deadly force to prevent or terminate the other's trespass on real property or unlawful interference with personal property.

SECTION 2. This act shall take effect July 1, 2021, the public welfare requiring it.