

# SENATE NO. 804



## AN ACT RELATIVE TO THE COMMON DEFENSE

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
And by the authority of the same, as follows:*

- 1 SECTION 1. Chapter 278: Section 8A. Killing or injuring a person defense of self or others;
- 2 Section 8A. It shall be an act of lawful defense if a person, who is an occupant of a dwelling or
- 3 in any place that they have a right to be, used deadly force, or less than deadly force, if he or she
- 4 acted in the reasonable belief that an assailant was about to inflict great bodily injury or death
- 5 upon themselves or upon another person who also had a right to be in the location. There shall
- 6 be no duty on a person to retreat from any place that they have a right to be. An act of lawful
- 7 defense as outlined in this section shall not be cause for arrest or prosecution. Further, an act of
- 8 lawful defense under this section shall not be cause for the revocation of a license issued under
- 9 sections, 122, 123, 129B or 131 of Chapter 140.
- 10 Chapter 231: Section 85U. Death or injury to assailants; liability of defender

- 11 Section 85U. No person who has committed an act of lawful defense as outlined in section 8A
- 12 of chapter 278 shall be held liable in an action for damages for death or injuries to an assailant.