

**SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5143  
(As amended, June 6, 2006)**

A bill to clarify the rights and duties of self-defense and the defense of others.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. This act shall be known and may be cited as the "<<  
2                >> self-defense act".

3       Sec. 2. (1) An individual who has not or is not engaged in the  
4 commission of a crime at the time he or she uses deadly force may  
5 use deadly force against another individual anywhere he or she has  
6 the legal right to be with no duty to retreat if either of the  
7 following applies:

8           (a) The individual honestly and reasonably believes that the  
9 use of deadly force is necessary to prevent the imminent death of  
10 or imminent great bodily harm to himself or herself or to another  
11 individual.

1           (b) The individual honestly and reasonably believes that the  
2 use of deadly force is necessary to prevent the imminent sexual  
3 assault of himself or herself or of another individual.

4           (2) An individual who has not or is not engaged in the  
5 commission of a crime at the time he or she uses force other than  
6 deadly force may use force other than deadly force against another  
7 individual anywhere he or she has the legal right to be with no  
8 duty to retreat if he or she honestly and reasonably believes that  
9 the use of that force is necessary to defend himself or herself or  
10 another individual from the imminent unlawful use of force by  
11 another individual.

12           Sec. 3. Except as provided in section 2, this act does not  
13 modify the common law of this state in existence on October 1, 2006  
14 regarding the duty to retreat before using deadly force or force  
15 other than deadly force.

16           Sec. 4. This act does not diminish an individual's right to  
17 use deadly force or force other than deadly force in self-defense  
18 or defense of another individual as provided by the common law of  
19 this state in existence on October 1, 2006.

20           Enacting section 1. This act takes effect October 1, 2006.

21           Enacting section 2. This act does not take effect unless all  
22 of the following bills of the 93rd Legislature are enacted into  
23 law:

24           (a) Senate Bill No. 1046.

25           (b) Senate Bill No. 1185.

26           (c) House Bill No. 5142.

27           (d) House Bill No. 5153.

1 (e) House Bill No. 5548.