

Regular Session, 2014

HOUSE RESOLUTION NO. 149

BY REPRESENTATIVE WESLEY BISHOP

CRIMINAL/JUSTICE: Requests the Louisiana State Law Institute to evaluate Louisiana's "stand your ground" laws

1 A RESOLUTION

2 To urge and request the Louisiana State Law Institute to evaluate Louisiana's "stand your
3 ground" laws, compare them to the laws of other states on this issue, and make
4 recommendations regarding any changes to Louisiana law resulting from that
5 evaluation.

6 WHEREAS, the common law principle of the "castle doctrine" means that
7 individuals have the right to use reasonable force, including deadly force, to protect
8 themselves against an intruder in their home; and

9 WHEREAS, this principle has been codified and expanded by state legislatures; and

10 WHEREAS, laws in at least twenty-two states provide that there is no duty to retreat
11 an attacker in any place in which one is lawfully present; and

12 WHEREAS, for over one hundred years, Louisiana law has provided that the use of
13 force or the commission of a homicide is justified if it is committed in self-defense or is
14 committed to prevent a homicide or violent offense committed against another person; and

15 WHEREAS, Act No. 141 of the 2006 Regular Session of the Legislature introduced
16 a new concept into Louisiana law by enacting R.S. 14:19(c) and 20(C), known as Louisiana's
17 "stand your ground law" which provides that, "[a] person who is not engaged in unlawful
18 activity and who is in a place where he or she has a right to be shall have no duty to retreat
19 before using [deadly force, force, or violence] and may stand his or her ground and meet
20 force with force."; and

1 WHEREAS, it is appropriate that the laws regarding "stand your ground" be
2 reviewed in comparison to the laws of other states and with respect to court decisions
3 interpreting those laws.

4 THEREFORE, BE IT RESOLVED that the House of Representatives of the
5 Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to
6 evaluate the provisions of Louisiana law regarding "stand your ground" provisions, as well
7 as the provisions of law from other states regarding this issue, and make any
8 recommendations regarding any changes to those laws which may result from that
9 evaluation.

10 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
11 director of the Louisiana State Law Institute.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Wesley Bishop

HR No. 149

Requests the Louisiana State Law Institute to evaluate Louisiana's "stand your ground" laws, compare them to the laws of other states, and make recommendations regarding any changes to Louisiana law resulting from that evaluation.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Changed the nature of the resolution from "direct" to "urge and request".