

2011 SESSION

HOUSE SUBSTITUTE

11104794D

HOUSE BILL NO. 2511

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on January 31, 2011)

(Patron Prior to Substitute—Delegate Cleaveland)

A BILL to amend the Code of Virginia by adding a section numbered 8.01-223.3, relating to immunity for persons acting in defense of property.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01-223.3 as follows:

§ 8.01-223.3 Immunity for persons acting in defense of property.

Any person who lawfully occupies a dwelling and uses any degree of physical force, including deadly physical force, against another person when the other person has unlawfully entered the dwelling, having committed an overt act toward the occupant or another person in the dwelling, and the occupant reasonably believes he or another person in the dwelling is in imminent danger of bodily injury, shall be immune from civil liability for injuries or death of the other person who has unlawfully entered the dwelling that results from the use of such force.

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HB2511H1