

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5142
(As amended, June 6, 2006)

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 21c to chapter VIII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER VIII

SEC. 21C. (1) IN CASES IN WHICH SECTION 2 OF THE <<
>> SELF-DEFENSE ACT DOES NOT APPLY, THE COMMON LAW OF THIS STATE
APPLIES EXCEPT THAT THE DUTY TO RETREAT BEFORE USING DEADLY FORCE
IS NOT REQUIRED IF AN INDIVIDUAL IS IN HIS OR HER OWN DWELLING OR
WITHIN THE CURTILAGE OF THAT DWELLING.
(2) AS USED IN THIS SECTION, "DWELLING" MEANS A STRUCTURE OR
SHELTER THAT IS USED PERMANENTLY OR TEMPORARILY AS A PLACE OF
ABODE, INCLUDING AN APPURTENANT STRUCTURE ATTACHED TO THAT

1 **STRUCTURE OR SHELTER.**

2 Enacting section 1. This amendatory act takes effect October
3 1, 2006.

4 Enacting section 2. This amendatory act does not take effect
5 unless all of the following bills of the 93rd Legislature are
6 enacted into law:

7 (a) Senate Bill No. 1046.

8 (b) Senate Bill No. 1185.

9 (c) House Bill No. 5143.

10 (d) House Bill No. 5153.

11 (e) House Bill No. 5548.