

ASSEMBLY, No. 4424

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 16, 2024

Sponsored by:

Assemblyman JOHN V. AZZARITI JR., M.D.

District 39 (Bergen)

Assemblywoman DAWN FANTASIA

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblyman Inganamort

SYNOPSIS

Concerns justified use of force and deadly force.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the justified use of force, supplementing
2 chapter 3 of Title 2C of the New Jersey Statutes, and repealing
3 various parts of the statutory law.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. Use or threatened use of force.

9 a. A person is justified in using or threatening to use force,
10 except deadly force, against another when and to the extent that the
11 person reasonably believes that such conduct is necessary to defend
12 himself or herself or another against the other person's imminent
13 use of unlawful force. A person who uses or threatens to use force
14 in accordance with this subsection does not have a duty to retreat
15 before using or threatening to use such force.

16 b. A person is justified in using or threatening to use deadly
17 force if the person reasonably believes that using or threatening to
18 use deadly force is necessary to prevent imminent death or serious
19 bodily injury to the person or another or to prevent the imminent
20 commission of a crime set forth in section 2 of P.L.1995, c.126
21 (C.2C:43-7.1). A person who uses or threatens to use deadly force
22 in accordance with this subsection does not have a duty to retreat
23 and has the right to stand his or her ground if the person is not
24 engaged in the commission of a crime and is in a place where the
25 person has a right to be.

26 c. As used in this act, "serious bodily injury" means bodily
27 injury which creates a substantial risk of death or which causes
28 serious, permanent disfigurement, or protracted loss or impairment
29 of the function of any bodily member or organ.

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31 2. N.J.S.2C:3-4 through N.J.S.2C:3-7 are repealed.

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33 3. This act shall take effect on the 90th day following
34 enactment.

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STATEMENT

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39 This bill revises the law concerning the justified use of force and
40 deadly force. Under the bill, a person is justified in using or
41 threatening to use force, except deadly force, against another when
42 and to the extent that the person reasonably believes that such
43 conduct is necessary to defend himself or herself or another against
44 the other person's imminent use of unlawful force. A person who
45 uses or threatens to use such force does not have a duty to retreat
46 before using or threatening to use such force.

47 The bill provides that a person is justified in using or threatening
48 to use deadly force if the person reasonably believes that using or

1 threatening to use deadly force is necessary to prevent imminent
2 death or serious bodily injury to the person or another or to prevent
3 the imminent commission of a crime set forth in section 2 of
4 P.L.1995, c.126 (C.2C:43-7.1). The referenced crimes are those
5 enumerated in the “Three Strikes” law. They include murder;
6 aggravated manslaughter; manslaughter; kidnapping; aggravated
7 sexual assault; robbery; carjacking; aggravated assault; burglary;
8 and unlawful possession of a weapon.

9 A person who uses or threatens to use deadly force under the bill
10 does not have a duty to retreat and has the right to stand his or her
11 ground if the person is not engaged in the commission of a crime
12 and is in a place where the person has a right to be.

13 The bill repeals the current statutes concerning the use of force
14 and deadly force, set out in N.J.S.2C:3-4 through N.J.S.2C:3-7.