

1 HB46  
2 134951-1  
3 By Representative Williams (J)  
4 RFD: Judiciary  
5 First Read: 07-FEB-12  
6 PFD: 01/23/2012

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8 SYNOPSIS: Existing law provides for certain duties  
9 owed by property owners to persons on the property  
10 owner's property.

11 This bill would provide a property owner  
12 limited immunity from civil liability in defense of  
13 himself or herself, others, or their property.

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15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 Relating to defense of self, others, and property;  
20 to provide limited immunity from civil liability.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) As used in this section, property  
23 shall mean real property and buildings, structures, and  
24 improvements thereon.

25 (b) Any person who unlawfully enters or attempts to  
26 enter upon the property of another for the purposes of  
27 engaging in criminal conduct, for purposes of civil liability

1       only, assumes the risk for any injury caused or resulting to  
2       him or her due to the commission or effort to commit criminal  
3       conduct. The owner and his or her agents shall be immune from  
4       any civil liability due to the reasonable and proportionate  
5       acts of the owner or his or her agents in resisting the  
6       commission of the criminal conduct.

7               (c) The provisions of this section do not apply to  
8       the creation of a hidden hazardous or hidden dangerous  
9       condition on the property designed to prevent criminal conduct  
10      or cause injury to a person engaging in criminal conduct.

11             Section 2. This act shall become effective on the  
12      first day of the third month following its passage and  
13      approval by the Governor, or its otherwise becoming law.