

704.2A Justifiable use of deadly force.

1. For purposes of [this chapter](#), a person is presumed to reasonably believe that deadly force is necessary to avoid injury or risk to one's life or safety or the life or safety of another in either of the following circumstances:

a. The person against whom force is used, at the time the force is used, is doing any of the following:

(1) Unlawfully entering the dwelling, place of business or employment, or occupied vehicle of the person using force by force or stealth, or has unlawfully entered by force or stealth and remains within the dwelling, place of business or employment, or occupied vehicle of the person using force.

(2) Unlawfully removing or is attempting to unlawfully remove another person against the other person's will from the dwelling, place of business or employment, or occupied vehicle of the person using force.

b. The person using force knows or has reason to believe that any of the conditions set forth in paragraph "a" are occurring.

2. The presumption set forth in [subsection 1](#) does not apply if, at the time force is used, any of the following circumstances are present:

a. The person using defensive force is engaged in a criminal offense, is attempting to escape from the scene of a criminal offense that the person has committed, or is using the dwelling, place of business or employment, or occupied vehicle to further a criminal offense.

b. The person sought to be removed is a child or grandchild or is otherwise in the lawful custody or under the lawful guardianship of the person against whom force is used.

c. The person against whom force is used is a peace officer who has entered or is attempting to enter a dwelling, place of business or employment, or occupied vehicle in the lawful performance of the peace officer's official duties.

d. The person against whom the force is used has the right to be in, or is a lawful resident of, the dwelling, place of business or employment, or occupied vehicle of the person using force, and a protective or no-contact order is not in effect against the person against whom the force is used.

[2017 Acts, ch 69, §39](#)

NEW section