

PEARCE FLOOR AMENDMENT  
SENATE AMENDMENTS TO H.B. 2439  
(Reference to House engrossed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Title 13, chapter 4, Arizona Revised Statutes, is amended  
3 by adding section 13-421, to read:

4 13-421. Justification; defensive display of a firearm;  
5 definition

6 A. THE DEFENSIVE DISPLAY OF A FIREARM BY A PERSON AGAINST ANOTHER IS  
7 JUSTIFIED WHEN AND TO THE EXTENT A REASONABLE PERSON WOULD BELIEVE THAT  
8 PHYSICAL FORCE IS IMMEDIATELY NECESSARY TO PROTECT HIMSELF AGAINST THE USE OR  
9 ATTEMPTED USE OF UNLAWFUL PHYSICAL FORCE OR DEADLY PHYSICAL FORCE.

10 B. THIS SECTION DOES NOT APPLY TO A PERSON WHO:

11 1. INTENTIONALLY PROVOKES ANOTHER PERSON TO USE OR ATTEMPT TO USE  
12 UNLAWFUL PHYSICAL FORCE.

13 2. USES A FIREARM DURING THE COMMISSION OF A SERIOUS OFFENSE AS  
14 DEFINED IN SECTION 13-706 OR VIOLENT CRIME AS DEFINED IN SECTION 13-901.03.

15 C. THIS SECTION DOES NOT REQUIRE THE DEFENSIVE DISPLAY OF A FIREARM  
16 BEFORE THE USE OF PHYSICAL FORCE OR THE THREAT OF PHYSICAL FORCE BY A PERSON  
17 WHO IS OTHERWISE JUSTIFIED IN THE USE OR THREATENED USE OF PHYSICAL FORCE.

1 D. FOR THE PURPOSES OF THIS SECTION, "DEFENSIVE DISPLAY OF A FIREARM"

2 INCLUDES:

3 1. VERBALLY INFORMING ANOTHER PERSON THAT THE PERSON POSSESSES OR HAS  
4 AVAILABLE A FIREARM.

5 2. EXPOSING OR DISPLAYING A FIREARM IN A MANNER THAT A REASONABLE  
6 PERSON WOULD UNDERSTAND WAS MEANT TO PROTECT THE PERSON AGAINST ANOTHER'S USE  
7 OR ATTEMPTED USE OF UNLAWFUL PHYSICAL FORCE OR DEADLY PHYSICAL FORCE.

8 3. PLACING THE PERSON'S HAND ON A FIREARM WHILE THE FIREARM IS  
9 CONTAINED IN A POCKET, PURSE OR OTHER MEANS OF CONTAINMENT OR TRANSPORT."

10 Renumber to conform

11 Amend title to conform

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C: sp