



# *ENACTMENT NEWS*

---

## **Senate Bill 175** **Stand Your Ground/Duty to Retreat** Effective April 12, 2021

On January 4, 2021, Governor DeWine signed Senate Bill 175 (Sen. Schaffer) into law. The bill takes effect on April 6, 2021. The bill originally dealt with civil immunity to nonprofit entities for injuries that occur due to the carrying of handguns, but was amended in the House to make changes to Ohio's self-defense law.

### **Stand Your Ground/Duty to Retreat**

Previous law provided that a person has no duty to retreat when exercising self-defense when in his or her vehicle or place of residence. S.B. 175 eliminates language specifying these two locations, and instead provides that a person has no duty to retreat if in any place where he or she lawfully has a right to be. The bill further provides that the trier of fact is not to consider the person's ability to retreat when assessing a claim of self-defense. This change is applicable to both criminal and civil tort claims of self-defense.

The Ohio Senate passed the bill, without the duty-to-retreat language, by a vote of 31-0 on December 11, 2019, and the House passed the bill, with the duty-to-retreat language added, by a vote of 52-31 on December 17, 2020. The Senate concurred in House amendments by a vote of 18-11 on December 18, 2020.