

28 **business or employment.**

29 (1) ~~[A person]~~ Except as provided in Subsection (2), an actor is justified in using force
 30 against ~~[another]~~ an individual when and to the extent that ~~[he]~~ the actor reasonably believes
 31 that the force is necessary to prevent or terminate the ~~[other's]~~ individual's unlawful entry into ~~H→~~
 31a the actor's vehicle or unlawful entry ←H
 32 or attack upon ~~[his]~~ the actor's habitation ~~H→~~ [,vehicle,] ←H or place of business or employment.

33 (2) ~~[; however, he]~~ An actor is justified in ~~[the use of]~~ using force against the individual
 34 described in Subsection (1) [which] that is intended or likely to cause death or serious bodily
 35 injury to the individual only if:

36 (a) (i) the entry is made or attempted in a violent and tumultuous manner,
 37 surreptitiously, or by stealth~~;~~; and

38 (ii) ~~[he]~~ the actor reasonably believes;

39 (A) that the entry is attempted or made for the purpose of assaulting or ~~[offering]~~
 40 perpetrating personal violence [to any person,] against any individual who dwells in or is
 41 present [dwelling, or being] in the habitation or is present in the vehicle, or place of business or
 42 employment; and

43 (B) ~~[he reasonably believes]~~ that the force is necessary to prevent the assault or ~~[offer]~~
 44 perpetration of personal violence; or

45 (b) ~~[he]~~ the actor reasonably believes that:

46 (i) the entry is made or attempted for the purpose of committing a felony in the
 47 habitation; and

48 (ii) ~~[that]~~ the force is necessary to prevent the commission of the felony.

49 ~~[(2)]~~ (3) (a) ~~[The person using]~~ An actor who uses force or deadly force ~~[in defense of]~~
 50 against an individual to defend the actor's habitation is presumed for the purpose of both civil
 51 and criminal cases to have acted reasonably and had a reasonable fear of imminent peril of
 52 death or serious bodily injury if the entry or attempted entry is:

53 (i) ~~[is]~~ unlawful; and

54 (ii) ~~[is]~~ made or attempted;

55 (A) by use of force~~;~~~~or~~;

56 (B) in a violent and tumultuous manner~~;~~~~or~~;

57 (C) surreptitiously or by stealth~~;~~~~or~~; or

58 (D) for the purpose of committing a felony.