**Castle Doctrine**

On March 27, 2007, Gov. [Rick Perry](https://en.wikipedia.org/wiki/Rick_Perry) signed Senate Bill 378 into law, making Texas a [***Castle Doctrine***](https://en.wikipedia.org/wiki/Castle_Doctrine_in_the_US)state which went into effect Sept. 1, 2007. Residents lawfully occupying a dwelling may use deadly force against a person who *unlawfully, and with force, enters or attempts to enter the dwelling*, or who unlawfully and with force, removes or attempts to remove someone from that dwelling, or who commits or attempts to commit a *qualifying* felony such as *aggravated kidnapping, murder, sexual assault, aggravated sexual assault, robbery, or aggravated robbery* [TPC 9.32(b)].

***Stand Your Ground***

Senate Bill 378 also contains a [*Stand Your Ground*](https://en.wikipedia.org/wiki/Stand-your-ground_law) clause. A person who has a legal right to be wherever he/she is at the time of a defensive shooting has no *duty to retreat* before being justified in shooting. The *trier of fact* (the jury in a jury trial, otherwise the judge) may not consider whether the person retreated when deciding whether the person was justified in shooting.

{TPC 9.32(c,d)].

***Civil Immunity***

In addition, two statutes of the Texas Civil Practice and Remedies Code protect people who justifiably threaten or use deadly force. Chapter 86 prohibits a person convicted of a misdemeanor or felony from filing suit to recover any damages suffered as a result of the criminal act or any justifiable action taken by others to prevent the criminal act or to apprehend the person, including the firing of a weapon.

Chapter 83 of the same code states that a person who used force or deadly force against an individual that is justified under TPC Chapter 9 is immune from liability for personal injury or death of the individual against whom the force was used. This does not relieve a person from liability for use of force or deadly force on someone against whom the force would not be justified, such as a bystander hit by an errant shot.

This law does not prevent a person from being sued for using deadly force. The civil court will determine if the defendant was justified under Chapter 9 of the Texas Penal Code.