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5 Replace lines 526 through 531 on page 21 with the  
6 following:

7 (2) A defendant shall be entitled to assert  
8 justification and immunity under this section before a  
9 trial by filing a written motion. Except for good cause  
10 shown, the defendant shall file any motion made pursuant  
11 to this subdivision at the same time as any motion the  
12 defendant makes pursuant to Section 13A-3-23(d) (2).

13 (3) Prior to the commencement of a trial, and within  
14 45 days after the defendant's motion is filed, the court  
15 having jurisdiction over the case shall conduct a  
16 pretrial hearing to determine whether force, including  
17 deadly force, used by the defendant was justified or was  
18 unlawful under this section. To the extent practicable,  
19 the court shall set the hearing on the same calendar day  
20 as any pretrial hearing conducted pursuant to Section  
21 13A-3-23(d) (2). During any

22  
23 Replace lines 535 through 538 on page 21 with the  
24 following:



(4) Prior to the commencement of a trial, and within 45 days after a pretrial hearing conducted under subdivision (3), the court shall enter a written order setting forth reasons why the defendant either possesses or lacks immunity from criminal prosecution under this section. To the extent practicable, the court shall issue the written order at the same time as any order issued pursuant to Section 13A-3-23(d)(3). If the

Replace line 540 on page 22 with the following:

preponderance of the evidence that the force he or she used, including deadly

Replace line 544 on page 22 with the following:

(5) If the defendant does not meet his or her burden of

Replace line 566 on page 23 with the following:

that the force used was unlawful under this section.  
(i) No justification or immunity set forth in this section shall affect the legal standards applicable to a motion made in a criminal proceeding regarding the suppression for use as evidence of anything obtained through an allegedly unlawful search or seizure."