

HB5271



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5271

Introduced 2/9/2024, by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

720 ILCS 5/6-3

from Ch. 38, par. 6-3

Amends the Criminal Code of 2012. Provides that evidence of a defendant's voluntary intoxication is not admissible for the purpose of negating the defendant's mens rea, nor shall any such argument to the trier of fact be permitted. Provides that if evidence of the defendant's intoxication, either voluntary or involuntary, is admitted, the trier of fact shall be instructed that voluntary intoxication is not a defense to the crime charged.

LRB103 37570 RLC 67696 b

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Section 6-3 as follows:

6 (720 ILCS 5/6-3) (from Ch. 38, par. 6-3)

7 Sec. 6-3. Intoxicated or drugged condition.

8 (a) A person who is in an intoxicated or drugged condition
9 is criminally responsible for conduct unless such condition is
10 involuntarily produced and deprives him of substantial
11 capacity either to appreciate the criminality of his conduct
12 or to conform his conduct to the requirements of law.

13 (b) Evidence of a defendant's voluntary intoxication is
14 not admissible for the purpose of negating the defendant's
15 mens rea, nor shall any such argument to the trier of fact be
16 permitted. If evidence of the defendant's intoxication, either
17 voluntary or involuntary, is admitted, the trier of fact shall
18 be instructed that voluntary intoxication is not a defense to
19 the crime charged.

20 (Source: P.A. 92-466, eff. 1-1-02.)