

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 948

Session of  
1975

INTRODUCED BY REED, S. E. HAYES JR., NOYE, A. P. KELLY, HEPFORD,  
MANMILLER, GIAMMARCO, DiDONATO, PRATT, TAYLOR, CRAWFORD,  
MRKONIC, FEE, BERLIN, MORRIS, COLE, CIMINI, SCHWEDER, COWELL,  
DAVIES, MOEHLMANN, GREEN, PITTS, McLANE, WARGO, WANSACZ AND  
ZORD, APRIL 8, 1975

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 9, 1975

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for culpability in  
3 an intoxicated or drugged condition.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 308 of Title 18, act of November 25, 1970  
7 (P.L.707, No.230), known as the Pennsylvania Consolidated  
8 Statutes, added December 6, 1972 (P.L.1482, No.334), is amended  
9 to read:

10 § 308. Intoxication or drugged condition.

11 (a) General rule.--Intoxication or drugged condition are  
12 not, as such, defenses to a criminal charge; but in any  
13 prosecution for any offense, evidence of intoxication or drugged  
14 condition of the defendant may be offered by the defendant  
15 whenever it is relevant to negative an element of the offense.

16 (b) Exception.--Nothing in this title shall deter from the  
17 responsibility of any person for any acts committed while under

1 the willful intoxication or influence of alcohol, drug, narcotic  
2 or other such willfully consumed or applied substance that may  
3 have altered temporarily the behavior of that person.