
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1083 Session of
1975

INTRODUCED BY FISHER, ROMANELLI, ZORD, CESSAR, PARKER, SCIRICA,
COWELL, ENGLEHART, SPENCER AND YOHN, APRIL 22, 1975

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 23, 1975

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the satisfaction
3 of requirement of intent when voluntary intoxication exists.

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

6 Section 1. Section 302 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 by adding a subsection to read:

10 § 302. General requirements of culpability.

11 * * *

12 (i) Satisfaction of requirement when voluntary intoxication
13 exists.--When intent is an element of an offense, the intent may
14 be inferred from the actor's conduct and surrounding
15 circumstances and shall not be negated by the admission of
16 evidence that would establish voluntary intoxication.

17 Section 2. Section 308 of the act is amended to read:

18 § 308. Intoxication or drugged condition.

1 Intoxication or drugged condition are not, as such, defenses
2 to a criminal charge; but in any prosecution for any offense,
3 evidence of intoxication or drugged condition of the defendant
4 may be offered by the defendant whenever it is relevant to
5 negative an element of the offense except that evidence of
6 voluntary intoxication shall not negative the element of intent
7 of any offense.

8 Section 3. This act shall take effect in 60 days.