

No. 32

## AN ACT

HB 826

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

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

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

§ 308. Intoxication or drugged condition.

**[Intoxication or drugged condition are not, as such, defenses to a criminal charge; but in any prosecution for any offense, evidence of intoxication or drugged condition of the defendant may be offered by the defendant whenever it is relevant to negative an element of the offense.]**  
*Neither voluntary intoxication nor voluntary drugged condition is a defense to a criminal charge, nor may evidence of such conditions be introduced to negative the element of intent of the offense, except that evidence of such intoxication or drugged condition of the defendant may be offered by the defendant whenever it is relevant to reduce ~~murder from~~ a higher degree to a lower degree of murder.*

Section 2. This act shall take effect immediately.

APPROVED—The 7th day of April, A. D. 1976.

MILTON J. SHAPP