

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****HB3045**

Introduced 2/6/2025, 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 mental state, nor shall any such argument to the trier of fact be permitted. Provides that evidence of a defendant's voluntary intoxication is admissible for any other relevant purpose. 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.

LRB104 08602 RLC 18654 b

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 mental state, nor shall any such argument to the trier of fact
16 be permitted. However, evidence of a defendant's voluntary
17 intoxication is admissible for any other relevant purpose. If
18 evidence of the defendant's intoxication, either voluntary or
19 involuntary, is admitted, the trier of fact shall be
20 instructed that voluntary intoxication is not a defense to the
21 crime charged.

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