

State of Wisconsin



2013 Assembly Bill 780

Date of enactment: **April 16, 2014**
Date of publication*: **April 17, 2014**

2013 WISCONSIN ACT 307

AN ACT *to repeal* 939.24 (3); and *to amend* 939.42 (intro.), 939.42 (1) and 939.42 (2) of the statutes; **relating to:**
eliminating voluntary intoxication as a defense to criminal liability.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 939.24 (3) of the statutes is repealed.

SECTION 2. 939.42 (intro.) of the statutes is amended to read:

939.42 Intoxication. (intro.) An intoxicated or a drugged condition of the actor is a defense only if such condition is involuntarily produced and does one of the following:

SECTION 3. 939.42 (1) of the statutes is amended to read:

939.42 (1) ~~Is involuntarily produced and renders~~ Renders the actor incapable of distinguishing between right and wrong in regard to the alleged criminal act at the time the act is committed; ~~or,~~

SECTION 4. 939.42 (2) of the statutes is amended to read:

939.42 (2) Negatives the existence of a state of mind essential to the crime, ~~except as provided in s. 939.24 (3).~~

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."