

## 2013 DRAFTING REQUEST

### Bill

Received: 2/27/2014 Received By: phurley  
Wanted: As time permits Same as LRB: -2873  
For: Neal Kedzie (608) 266-2635 By/Representing:  
May Contact: Drafter: phurley  
Subject: Criminal Law - miscellaneous Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Kedzie@legis.wisconsin.gov  
Carbon copy (CC) to:

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### Pre Topic:

No specific pre topic given

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### Topic:

Eliminating voluntary intoxication as a defense to certain crimes

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### Instructions:

redraft 07 AB 330

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### Drafting History:

| <u>Vers.</u> | <u>Drafted</u>       | <u>Reviewed</u>      | <u>Typed</u>          | <u>Proofed</u> | <u>Submitted</u>      | <u>Jacketed</u>      | <u>Required</u> |
|--------------|----------------------|----------------------|-----------------------|----------------|-----------------------|----------------------|-----------------|
| /1           | phurley<br>2/27/2014 | scalvin<br>2/27/2014 | jfrantze<br>2/27/2014 | _____          | sbasford<br>2/27/2014 | lparisi<br>2/27/2014 | State<br>S&L    |

FE Sent For:

<END>

→ At  
Intro.

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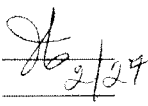
**Topic:**

Eliminating voluntary intoxication as a defense to certain crimes ✓

**Instructions:**

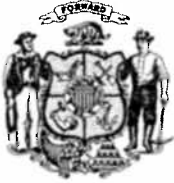
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|--------------|----------------|----------------------|----------------------|---|------------------|-----------------|-----------------|
| /1           | phurley        | /1 SAC<br>02/27/2014 | /1 SAC<br>02/27/2014 |  |                  |                 | State<br>S&L    |

FE Sent For:

<END>



stays 4354/11

comp-  
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2-27-14

**2013 ASSEMBLY BILL 780**

February 18, 2014 - Introduced by Representatives NASS, AUGUST, BIES and JACQUE, cosponsored by Senator KEDZIE. Referred to Committee on Judiciary.

gen act

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

***Analysis by the Legislative Reference Bureau***

Under current law, if a person is intoxicated or drugged when he or she is alleged to have committed a crime, the intoxication or drugged condition is a defense to criminal liability if: 1) the person was involuntarily intoxicated or drugged at the time of the alleged offense and the person's condition rendered him or her incapable of distinguishing between right and wrong; or 2) the person's condition, whether voluntarily or involuntarily produced, made it impossible for him or her to have had the intent necessary to commit the crime. Voluntary intoxication, however, is generally not a defense in the second situation if the offense charged is based on the person's criminal recklessness. This bill eliminates the defense of voluntary intoxication.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

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



Parisi, Lori

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**From:** Johnson, Dan  
**Sent:** Thursday, February 27, 2014 3:05 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -4354/1 Topic: Eliminating voluntary intoxication as a defense to certain crimes

Please Jacket LRB -4354/1 for the SENATE.