

Fiscal Estimate Narratives

DA 2/26/2014

LRB Number	13-2873/1	Introduction Number	AB-0780	Estimate Type	Original
Description Eliminating voluntary intoxication as a defense to criminal liability					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who has committed a crime while intoxicated or drugged, may use their intoxicated or drugged condition as a defense to criminal liability if: the person was involuntarily intoxicated or drugged and that made them incapable of distinguishing between right and wrong; or, the person's condition, whether voluntarily or involuntarily produced, made it impossible for the person to have had the intent necessary to commit the crime. Generally, involuntary intoxication is not a defense in the second situation if the charge is based on the person's criminal recklessness. This bill eliminates the defense of voluntary intoxication.

Prosecutors do not believe that elimination of the voluntary intoxication defense will have a fiscal impact on their offices.

Long-Range Fiscal Implications

Should this bill be enacted, prosecutors do not anticipate a long-term fiscal impact on their offices.