

1 AN ACT in relation to 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 1961 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
9 condition is criminally responsible for conduct unless such
10 condition either:

11 (1) ~~(a)~~ Is so extreme as to suspend the power of
12 reason and render him incapable of forming a specific
13 intent which is an element of the offense; or

14 (2) ~~(b)~~ Is involuntarily produced and deprives him
15 of substantial capacity either to appreciate the
16 criminality of his conduct or to conform his conduct to
17 the requirements of law.

18 (b) The defense of intoxicated or drugged condition does
19 not apply to a person who is charged with an offense
20 involving the sexual or physical abuse of a person under 18
21 years of age. In this subsection (b), "an offense involving
22 the sexual or physical abuse of a person under 18 years of
23 age" means any offense under Article 11 or Article 12 of this
24 Code in which the victim of the offense is under 18 years of
25 age at the time of the offense.

26 (Source: P.A. 85-670.)