

By Representative Lacasa

1 A bill to be entitled
2 An act relating to evidence; creating s.
3 90.959, F.S.; providing that evidence of
4 voluntary intoxication is not admissible for
5 certain purposes; providing an exception;
6 providing an effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Section 90.959, Florida Statutes, is
11 created to read:

12 90.959 Voluntary intoxication; not a defense; evidence
13 not admissible for certain purposes; exception.--Voluntary
14 intoxication resulting from the consumption, injection, or
15 other use of alcohol or other controlled substance as
16 described in chapter 893 is not a defense to any offense
17 proscribed by law. Evidence of a defendant's voluntary
18 intoxication is not admissible to show that the defendant
19 lacked the specific intent to commit an offense and is not
20 admissible to show that the defendant was insane at the time
21 of the offense, except when the consumption, injection, or use
22 of a controlled substance under chapter 893 was pursuant to a
23 lawful prescription issued by a practitioner as defined in s.
24 893.02.

25 Section 2. This act shall take effect October 1, 1999.
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HOUSE SUMMARY

Provides that voluntary intoxication from the consumption, injection, or other use of alcohol or controlled substances as described in ch. 893, F.S., is not a defense to any offense committed under the Florida Statutes. Provides that evidence of a defendant's voluntary intoxication is not admissible to show that the defendant lacked the specific intent to commit an offense and is not admissible to show that the defendant was insane at the time of the offense, except when the consumption, injection, or other use of a controlled substance was pursuant to a lawful prescription issued by a licensed practitioner.