
SENATE BILL 5355

State of Washington

58th Legislature

2003 Regular Session

By Senators Brandland, Jacobsen, Esser, Rasmussen, Parlette, Swecker, Sheahan, McCaslin and Mulliken

Read first time 01/23/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to eliminating voluntary intoxication as a
2 consideration for mental state; and amending RCW 9A.16.090.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9A.16.090 and 1975 1st ex.s. c 260 s 9A.16.090 are
5 each amended to read as follows:

6 No act committed by a person while in a state of voluntary
7 intoxication shall be deemed less criminal by reason of his or her
8 condition, (~~but whenever the actual existence of any particular mental~~
9 ~~state is a necessary element to constitute a particular species or~~
10 ~~degree of crime, the fact of his intoxication may be taken into~~
11 ~~consideration in determining such mental state~~) nor shall a state of
12 voluntary intoxication be taken into consideration in determining the
13 existence of a mental state which is an element of the offense.

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