

1 AN ACT relating to crimes and punishments.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 501.080 is amended to read as follows:

4 Intoxication is a defense to a criminal charge only if such condition either:

5 (1) **Negates**~~Negatives~~ the existence of an element of the offense; or

6 (2) Is not voluntarily produced and deprives the defendant of substantial capacity either
7 to appreciate the criminality of his **or her** conduct or to conform his **or her** conduct
8 to the requirements of the law.