§37. Intoxication

1. Except as provided in subsection 2, evidence of intoxication may raise a reasonable doubt as to the existence of a required culpable state of mind.
[PL 1981, c. 324, §14 (NEW).]

2. When recklessness establishes an element of the offense, if a person, due to self-induced intoxication, is unaware of a risk of which the person would have been aware had the person not been intoxicated, such unawareness is immaterial.
[PL 2007, c. 173, §11 (AMD).]

3. As used in this section:

A. "Intoxication" means a disturbance of mental capacities resulting from the introduction of alcohol, drugs or similar substances into the body; and [PL 1981, c. 324, §14 (NEW).]

B. "Self-induced intoxication" means intoxication caused when a person intentionally or knowingly introduces into the person's body substances that the person knows or ought to know tend to cause intoxication, unless the person introduces them pursuant to medical advice or under such duress as would afford a defense to a charge of crime. [PL 2007, c. 173, §12 (AMD).]
[PL 2007, c. 173, §12 (AMD).]

SECTION HISTORY

PL 1981, c. 324, §14 (NEW). PL 2007, c. 173, §§11, 12 (AMD).

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