

609.075 DEFENSES; INTOXICATION, REACTION TO VICTIM'S SEXUAL ORIENTATION OR GENDER IDENTITY.

Subdivision 1. **Intoxication as defense.** An act committed while in a state of voluntary intoxication is not less criminal by reason thereof, but when a particular intent or other state of mind is a necessary element to constitute a particular crime, the fact of intoxication may be taken into consideration in determining such intent or state of mind.

Subd. 2. **Reaction to victim's sexual orientation or gender identity.** It is not a defense to a crime that the defendant acted based on the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived sexual orientation, gender identity, or gender expression.

History: 1963 c 753 art 1 s 609.075; 2024 c 123 art 6 s 6