

**Effective 5/12/2015**

**76-5-103 Aggravated assault -- Penalties.**

(1) Aggravated assault is an actor's conduct:

(a) that is:

- (i) an attempt, with unlawful force or violence, to do bodily injury to another;
- (ii) a threat, accompanied by a show of immediate force or violence, to do bodily injury to another; or
- (iii) an act, committed with unlawful force or violence, that causes bodily injury to another or creates a substantial risk of bodily injury to another; and

(b) that includes the use of:

- (i) a dangerous weapon as defined in Section 76-1-601; or
- (ii) other means or force likely to produce death or serious bodily injury.

(2)

(a) A violation of Subsection (1) is a third degree felony, except under Subsection (2)(b).

(b) A violation of Subsection (1) that results in serious bodily injury is a second degree felony.

Amended by Chapter 430, 2015 General Session