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Assault Modifications
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Brady Brammer
House Sponsor: Kristen Chevrier

LONG TITLE

General Description:

This bill amends the offenses of assault and aggravated assault to address the use of a chokehold.

Highlighted Provisions:

This bill:

- defines terms;
- provides that a chokehold under certain circumstances does not constitute the offense of assault or aggravated assault; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-5-102, as last amended by Laws of Utah 2022, Chapter 181

76-5-103, as last amended by Laws of Utah 2024, Chapter 319

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-5-102** is amended to read:

76-5-102 . Assault.

- (1)(a) As used in this section, "chokehold" means a restraining hold in which one individual encircles the neck of another individual in a viselike grip using an arm.
- (b) Terms defined in Section 76-1-101.5 apply to this section.
- (2) An actor commits assault if the actor:

- 29 (a) attempts, with unlawful force or violence, to inflict bodily injury on an individual; or
 30 (b) commits an act, with unlawful force or violence, that:
 31 (i) causes bodily injury to an individual; or
 32 (ii) creates a substantial risk of bodily injury to an individual.

33 (3)(a) ~~[A-]~~ Except as provided in Subsection (3)(b), a violation of Subsection (2) is a
 34 class B misdemeanor.

35 (b) ~~[Notwithstanding Subsection (3)(a), a]~~ A violation of Subsection (2) is a class A
 36 misdemeanor if:

- 37 (i) the actor causes substantial bodily injury to an individual; or
 38 (ii) the individual is pregnant and the actor has knowledge of the pregnancy.

39 (4) The fact that the actor caused serious bodily injury to an individual is not a defense to a
 40 violation of this section.

41 (5) This section does not apply to an actor's use of a chokehold on another individual if:

- 42 (a) the chokehold is done as part of training for, or participating in, a practice or sport in
 43 which a chokehold is a known and acceptable practice, including martial arts,
 44 wrestling, or mixed martial arts; and
 45 (b) the other individual is also training for, or participating in, the same practice or sport
 46 in which a chokehold is a known and acceptable practice.

47 Section 2. Section **76-5-103** is amended to read:

48 **76-5-103 . Aggravated assault.**

49 (1)(a) As used in this section~~[-,"targeting"]~~ :

- 50 (i) "Chokehold" means the same as that term is defined in Section 76-5-102.
 51 (ii) "Targeting a law enforcement officer" means the same as that term is defined in
 52 Section 76-5-202.

53 (b) Terms defined in Section 76-1-101.5 apply to this section.

54 (2) An actor commits aggravated assault if:

- 55 (a)(i) the actor attempts, with unlawful force or violence, to do bodily injury to
 56 another;
 57 (ii) the actor makes a threat, accompanied by a show of immediate force or violence,
 58 to do bodily injury to another; or
 59 (iii) the actor commits an act, committed with unlawful force or violence, that causes
 60 bodily injury to another or creates a substantial risk of bodily injury to another; and
 61 (b) the actor's conduct described in Subsection (2)(a) includes:
 62 (i) the use of:

- 63 (A) a dangerous weapon; or
64 (B) a motor vehicle;
- 65 (ii) any act that intentionally or knowingly impedes the breathing or the circulation of
66 blood of another individual by the actor's use of unlawful force or violence [-]by:
67 (A) applying pressure to the neck or throat of an individual; or
68 (B) obstructing the nose, mouth, or airway of an individual; or
69 (iii) other means or force likely to produce death or serious bodily injury.
- 70 (3)(a) [~~A~~] Except as provided in Subsection (3)(b) or (c), a violation of Subsection (2) is
71 a third degree felony.
- 72 (b) [~~Notwithstanding Subsection (3)(a),~~] Except as provided in Subsection (3)(c), a
73 violation of Subsection (2) is a second degree felony if:
74 (i) the act results in serious bodily injury; or
75 (ii) an act under Subsection (2)(b)(ii) produces a loss of consciousness.
- 76 (c) [~~Notwithstanding Subsection (3)(a) or (b), a~~] A violation of Subsection (2) is a first
77 degree felony if the conduct constitutes targeting a law enforcement officer and
78 results in serious bodily injury.
- 79 (4) This section does not apply to an actor's use of a chokehold on another individual if:
80 (a) the chokehold is done as part of training for, or participating in, a practice or sport in
81 which a chokehold is a known and acceptable practice, including martial arts,
82 wrestling, or mixed martial arts; and
83 (b) the other individual is also training for, or participating in, the same practice or sport
84 in which a chokehold is a known and acceptable practice.

85 Section 3. **Effective Date.**

86 This bill takes effect on May 6, 2026.