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**Assault Modifications**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brady Brammer**

House Sponsor:

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**LONG TITLE**

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**General Description:**

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

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**Highlighted Provisions:**

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This bill:

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- ▶ 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.

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**Money Appropriated in this Bill:**

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None

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**Other Special Clauses:**

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None

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**Utah Code Sections Affected:**

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**AMENDS:**

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

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

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

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

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**76-5-102 . Assault.**

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(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.

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

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(2) An actor commits assault if the actor:

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(a) attempts, with unlawful force or violence, to inflict bodily injury on an individual; or

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(b) commits an act, with unlawful force or violence, that:

- (i) causes bodily injury to an individual; or
- (ii) creates a substantial risk of bodily injury to an individual.

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

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

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

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

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

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

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

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

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

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

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

(2) An actor commits aggravated assault if:

(a)(i) the actor attempts, with unlawful force or violence, to do bodily injury to another;

(ii) the actor makes a threat, accompanied by a show of immediate force or violence, to do bodily injury to another; or

(iii) the actor commits 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) the actor's conduct described in Subsection (2)(a) includes:

- (i) the use of:
  - (A) a dangerous weapon; or
  - (B) a motor vehicle;

- (ii) any act that intentionally or knowingly impedes the breathing or the circulation of blood of another individual by the actor's use of unlawful force or violence [-]by:
  - (A) applying pressure to the neck or throat of an individual; or
  - (B) obstructing the nose, mouth, or airway of an individual; or
- (iii) other means or force likely to produce death or serious bodily injury.

(3)(a) [A] Except as provided in Subsection (3)(b) or (c), a violation of Subsection (2) is a third degree felony.

(b) [Notwithstanding Subsection (3)(a),] Except as provided in Subsection (3)(c), a violation of Subsection (2) is a second degree felony if:

- (i) the act results in serious bodily injury; or
- (ii) an act under Subsection (2)(b)(ii) produces a loss of consciousness.

(c) [Notwithstanding Subsection (3)(a) or (b), a] A violation of Subsection (2) is a first degree felony if the conduct constitutes targeting a law enforcement officer and results in serious bodily injury.

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

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