

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

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:

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

(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;

(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.

Section 3. **Effective Date.**

This bill takes effect on May 6, 2026.