

- 88 (ii) "Serious physical injury" includes:
- 89 (A) fracture of any bone or bones;
- 90 (B) intracranial bleeding, swelling or contusion of the brain, whether caused by blows,
- 91 shaking, or causing the child's head to impact with an object or surface;
- 92 (C) any burn, including burns inflicted by hot water, or those caused by placing a hot
- 93 object upon the skin or body of the child;
- 94 (D) any injury caused by use of a dangerous weapon as defined in Section 76-1-601;
- 95 (E) any combination of two or more physical injuries inflicted by the same person,
- 96 either at the same time or on different occasions;
- 97 (F) any damage to internal organs of the body;
- 98 (G) any conduct toward a child that results in severe emotional harm, severe
- 99 developmental delay or intellectual disability, or severe impairment of the child's ability to
- 100 function;
- 101 (H) any injury that creates a permanent disfigurement or protracted loss or impairment
- 102 of the function of a bodily member, limb, or organ;
- 103 ~~[(I) any conduct that causes a child to cease breathing, even if resuscitation is~~
- 104 ~~successful following the conduct; or]~~
- 105 (I) any impediment of the breathing or the circulation of blood by application of
- 106 pressure to the neck, throat, or chest, or by the obstruction of the nose or mouth ~~H~~ **→ and is likely to**
- 106a produce a loss of consciousness ~~H~~ :
- 107 (J) any conduct that results in starvation or failure to thrive or malnutrition that
- 108 jeopardizes the child's life[;]; or
- 109 (K) unconsciousness from a brain injury or any deprivation of oxygen to the brain.
- 110 (2) Any person who inflicts upon a child serious physical injury or, having the care or
- 111 custody of such child, causes or permits another to inflict serious physical injury upon a child is
- 112 guilty of an offense as follows:
- 113 (a) if done intentionally or knowingly, the offense is a felony of the second degree;
- 114 (b) if done recklessly, the offense is a felony of the third degree; or
- 115 (c) if done with criminal negligence, the offense is a class A misdemeanor.
- 116 (3) Any person who inflicts upon a child physical injury or, having the care or custody
- 117 of such child, causes or permits another to inflict physical injury upon a child is guilty of an
- 118 offense as follows: