

**Representative V. Lowry Snow** proposes the following substitute bill:

**OFFENSES AGAINST THE PERSON AMENDMENTS**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: V. Lowry Snow**

Senate Sponsor: Todd Weiler

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**LONG TITLE**

**General Description:**

This bill modifies the Utah Criminal Code regarding offenses against the person.

**Highlighted Provisions:**

This bill:

- ▶ creates the offense of criminal obstruction of breathing or blood circulation as a class A misdemeanor; and
- ▶ creates the offense of strangulation as a third degree felony.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**76-5-114**, Utah Code Annotated 1953

**76-5-115**, Utah Code Annotated 1953

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

Section 1. Section **76-5-114** is enacted to read:



26 76-5-114. Criminal obstruction of breathing or blood circulation -- Penalty.

27 (1) A person is guilty of criminal obstruction of breathing or blood circulation when,  
28 with intent to impede the normal breathing or circulation of the blood of another person and  
29 with unlawful force or violence, the person:

30 (a) applies pressure to the neck or throat of another person; or

31 (b) blocks the nose, mouth or airway of another person.

32 (2) Criminal obstruction of breathing or blood circulation is a class A misdemeanor.

33 Section 2. Section **76-5-115** is enacted to read:

34 76-5-115. Strangulation -- Penalty.

35 (1) As used in this section, "stupor" means a chiefly mental condition marked by the  
36 absence of spontaneous movement, greatly diminished responsiveness to stimulation, and  
37 impaired consciousness.

38 (2) A person is guilty of strangulation when the person commits the crime of criminal  
39 obstruction of breathing or blood circulation, as defined in Subsection [76-5-114](#)(1), and causes:

40 (a) stupor; or

41 (b) loss of consciousness for any period of time.

42 (3) Strangulation is a third degree felony.