

1017 Commission, are repealed January 1, 2025.

1018 ~~[(25)]~~ (26) Section 53G-9-212, Drinking water quality in schools, is repealed July 1,
1019 2027.

1020 ~~[(26)]~~ (27) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed
1021 July 1, 2027.

1022 Section 10. Section **76-3-203.17** is enacted to read:

1023 **76-3-203.17. Enhancement of an offense for road rage.**

1024 (1) As used in this section:

1025 (a) "Roadway" means the same as that term is defined in Section 41-1a-1101.

1026 (b) "Operator" means the same as that term is defined in Section 41-6a-102.

1027 (c) "Vehicle" means the same as that term is defined in Section 41-1a-102.

1028 (2) If the trier of fact finds that an actor was an operator or passenger of a vehicle and
1029 the actor committed an offense in response to an incident that occurred or escalated upon a
1030 roadway and with the intent to endanger or intimidate an individual in another vehicle, the
1031 actor is guilty of:

1032 ~~H→ [(a) a class C misdemeanor if the actor is charged with an offense that is designated by~~
1033 ~~law as an infraction;~~

1034 ~~———— (b) a class B misdemeanor if the actor is charged with an offense that is designated by~~
1035 ~~law as a class C misdemeanor;] ←H~~

1036 ~~H→ [(c)]~~ (a) ←H a class A misdemeanor if the actor is charged with an offense that is
1036a designated by
1037 law as a class B misdemeanor;

1038 ~~H→ [(d)]~~ (b) ←H a third degree felony if the actor is charged with an offense that is
1038a designated by
1039 law as a class A misdemeanor;

1040 ~~H→ [(e)]~~ (c) ←H a third degree felony if the actor is charged with an offense that is
1040a designated by law
1041 as a third degree felony; or

1042 ~~H→ [(f)]~~ (d) ←H a second degree felony if the actor is charged with an offense that is
1042a designated by
1043 law as a second degree felony.

1044 (3) ~~H→ [(a) If an actor is guilty of a class C misdemeanor as described in Subsection (2)(a);~~
1045 ~~the court shall impose a mandatory fine of no less than \$500 in addition to any other penalty~~
1046 ~~the court may impose for a class C misdemeanor;~~

1047 ~~———— (b) If an actor is guilty of a class B misdemeanor as described in Subsection (2)(b), the~~

1048 court shall impose a mandatory fine of no less than \$500 in addition to any other penalty the
 1049 court may impose for a class B misdemeanor.] ←H

1050 H→ [(c)] (a) ←H If an actor is guilty of a class A misdemeanor as described in Subsection

1050a H→ [(2)(c)] (2)(a) ←H , the

1051 court shall impose a mandatory fine of no less than \$750 in addition to any other penalty the

1052 court may impose for a class A misdemeanor.

1053 H→ [(d)] (b) ←H If an actor is guilty of a third degree felony as described in Subsection

1053a H→ [(2)(d)] (2)(b) ←H , the

1054 court shall impose a mandatory fine of no less than \$1,000 in addition to any other penalty the

1055 court may impose for a third degree felony.

1056 H→ [(e)] (c) ←H If an actor is guilty of a third degree felony as described in Subsection

1056a H→ [(2)(e)] (2)(c) ←H , the

1057 court shall impose:

1058 (i) a mandatory fine of no less than \$1,000; and

1059 (ii) an indeterminate term of imprisonment for no less than one year and no more than

1060 five years in addition to any other penalty the court may impose for a third degree felony.

1061 H→ [(f)] (d) ←H If an actor is guilty of a second degree felony as described in Subsection

1061a H→ [(2)(f)] (2)(d) ←H , the

1062 court shall impose:

1063 (i) a mandatory fine of no less than \$1,000; and

1064 (ii) an indeterminate term of imprisonment for no less than two years and no more than

1065 15 years in addition to any other penalty the court may impose for a second degree felony.

1066 (4) Except as otherwise provided by another provision of the Utah Code, the court may

1067 suspend the execution of an indeterminate term of imprisonment described in Subsection

1068 H→ [(3)(e)(ii) or (3)(f)(ii)] (3)(c)(ii) or (3)(d)(ii) ←H in accordance with Section 77-18-105.

1069 (5) The prosecuting attorney, or the grand jury if an indictment is returned, shall

1070 include notice in the information or indictment that the offense is subject to an enhancement

1071 under this section.

1072 (6) (a) If an actor is convicted of an offense and the offense is enhanced under this

1073 section, the court may order the suspension of the actor's driver license for a period of no

1074 longer than one year, except that the court may not order a suspension of an actor's driver

1075 license if the actor's driver license is required to be revoked under Subsection 53-3-220(1).

1076 (b) If the court orders the suspension of the actor's driver license, the court shall:

1077 (i) specify the length of the suspension in the order as described in Section 53-3-225;

1078 and

1079 (ii) forward the order of suspension to the Driver License Division.

1080 (7) If an offense is enhanced under this section, the court shall forward a record of

1081 conviction for the offense to the Driver License Division.

1081a **H→ (8) This section does not affect or limit any individual's constitutional right to lawful**
 1081b **expression of free speech or other recognized rights secured by the laws or Constitution of**
 1081c **Utah or by the laws or Constitution of the United States. ←H**

1082 Section 11. Section **76-5-103** is amended to read:

1083 **76-5-103. Aggravated assault -- Penalties.**

1084 (1) (a) As used in this section, "targeting a law enforcement officer" means the same as
 1085 that term is defined in Section 76-5-202.

1086 (b) Terms defined in Section 76-1-101.5 apply to this section.

1087 (2) An actor commits aggravated assault if [~~the actor~~]:

1088 (a) (i) the actor attempts, with unlawful force or violence, to do bodily injury to
 1089 another;

1090 (ii) the actor makes a threat, accompanied by a show of immediate force or violence, to
 1091 do bodily injury to another; or

1092 (iii) the actor commits an act, committed with unlawful force or violence, that causes
 1093 bodily injury to another or creates a substantial risk of bodily injury to another; and

1094 (b) [~~includes in~~] the actor's conduct [~~under~~] described in Subsection (2)(a) includes:

1095 (i) the use of:

1096 [~~(i)~~] (A) a dangerous weapon; or

1097 (B) a motor vehicle;

1098 (ii) any act that impedes the breathing or the circulation of blood of another individual
 1099 by the actor's use of unlawful force or violence that is likely to produce a loss of consciousness

1100 by:

1101 (A) applying pressure to the neck or throat of an individual; or

1102 (B) obstructing the nose, mouth, or airway of an individual; or

1103 (iii) other means or force likely to produce death or serious bodily injury.

1104 (3) (a) A violation of Subsection (2) is a third degree felony.

1105 (b) Notwithstanding Subsection (3)(a), a violation of Subsection (2) is a second degree
 1106 felony if:

1107 (i) the act results in serious bodily injury; or

1108 (ii) an act under Subsection (2)(b)(ii) produces a loss of consciousness.

1109 (c) Notwithstanding Subsection (3)(a) or (b), a violation of Subsection (2) is a first