

28 (2) An actor commits aggravated assault if the actor:
29 (a) (i) attempts, with unlawful force or violence, to do bodily injury to another;
30 (ii) makes a threat, accompanied by a show of immediate force or violence, to do
31 bodily injury to another; or
32 (iii) commits an act, committed with unlawful force or violence, that causes bodily
33 injury to another or creates a substantial risk of bodily injury to another; and
34 (b) includes in the actor's conduct under Subsection (2)(a) the use of:
35 (i) a dangerous weapon;
36 (ii) any act that ~~§~~ **intentionally or knowingly** ~~§~~ impedes the breathing or the
36a circulation of blood of another individual
37 by the actor's use of unlawful force or violence [~~that is likely to produce a loss of~~
38 ~~consciousness~~] by:
39 (A) applying pressure to the neck or throat of an individual; or
40 (B) obstructing the nose, mouth, or airway of an individual; or
41 (iii) other means or force likely to produce death or serious bodily injury.
42 (3) (a) A violation of Subsection (2) is a third degree felony.
43 (b) Notwithstanding Subsection (3)(a), a violation of Subsection (2) is a second degree
44 felony if:
45 (i) the act results in serious bodily injury; or
46 (ii) an act under Subsection (2)(b)(ii) produces a loss of consciousness.
47 (c) Notwithstanding Subsection (3)(a) or (b), a violation of Subsection (2) is a first
48 degree felony if the conduct constitutes targeting a law enforcement officer and results in
49 serious bodily injury.

50 **Section 2. Effective date.**
51 This bill takes effect on May 1, 2024.