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AGGRAVATED ASSAULT MODIFICATIONS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Michael S. Kennedy
House Sponsor: Brady Brammer

LONG TITLE

General Description:

This bill amends the crime of aggravated assault.

Highlighted Provisions:

This bill:

- amends the crime of aggravated assault when an individual is impeding the breathing or circulation of blood of another individual.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-5-103, as last amended by Laws of Utah 2022, Chapter 181

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

Section 1. Section **76-5-103** is amended to read:

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

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

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

(2) An actor commits aggravated assault if the actor:

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

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

(iii) commits an act, committed with unlawful force or violence, that causes bodily

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

46 Section 2. **Effective date.**

47 This bill takes effect on May 1, 2024.