

AN ACT relating to strangulation.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 508 IS CREATED TO READ AS FOLLOWS:

*(1) A person is guilty of strangulation in the first degree when the person, other than as part of a legitimate medical or dental procedure:*

*(a) Intentionally impedes the normal breathing or circulation of the blood of another person by:*

*1. Applying pressure on the throat or neck of the other person; or*

*2. Blocking the nose or mouth of the other person; and*

*(b) 1. The offense is committed in the presence of minor;*

*2. The victim is a minor;*

*3. The victim loses consciousness or loses bowel or bladder control;*

*4. The victim holds a valid protective order as defined in KRS 508.130 which names the person;*

*5. The person used or threatened to use a deadly weapon or dangerous instrument against the victim during the offense;*

*6. The person has a prior conviction under this section or Section 2 of this Act or any similar offense in another jurisdiction;*

*7. The person has a prior conviction under KRS 508.010, 508.020, or 508.025 or a similar offense in another jurisdiction, and the victim in the prior conviction is the same person who is the victim of the current offense; or*

*8. The person has at least three (3) prior convictions under KRS 508.010, 508.020, or 508.025.*

*(2) Strangulation in the first degree is a Class C felony.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 508 IS CREATED TO

READ AS FOLLOWS:

(1) A person is guilty of strangulation in the second degree when the person, other than as part of a legitimate medical or dental procedure, intentionally impedes the normal breathing or circulation of the blood of another person by:

(a) Applying pressure on the throat or neck of the other person; or

(b) Blocking the nose or mouth of the other person.

(2) Strangulation in the second degree is a Class D felony.