

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: _____

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

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.