

**AGGRAVATED ASSAULT MODIFICATIONS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael S. Kennedy**

House Sponsor: Brady Brammer

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**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

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*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.



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 ~~is~~ **intentionally or knowingly** ~~impedes~~ 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.