

## HOUSE BILL No. 2537

By Committee on Judiciary

Requested by Representative Lewis

1-23

1 AN ACT concerning crimes, punishment and criminal procedure; relating  
2 to sexual extortion; requiring the attorney general to prepare and provide  
3 educational materials and information concerning such crime; increasing  
4 the penalties for such crime when an offender is 18 years of age or older and the victim is less than 18 years of age or a dependent  
5 adult; creating the crimes of aggravated sexual extortion causing great  
6 bodily harm and aggravated sexual extortion causing death; amending  
7 K.S.A. 21-5515 and repealing the existing section.  
8

9  
10 *Be it enacted by the Legislature of the State of Kansas:*

11 New Section 1. The attorney general shall prepare and provide  
12 educational materials and information concerning sexual extortion as  
13 defined in K.S.A. 21-5515, and amendments thereto. The attorney general  
14 shall collaborate with the state board of education and law enforcement  
15 agencies to educate and notify schools, students, parents and guardians and  
16 the public about the amendments to K.S.A. 21-5515, and amendments  
17 thereto, by this act and the availability of educational materials and  
18 information concerning sexual extortion. On or before July 1, 2027, and  
19 annually thereafter, the attorney general shall file a report regarding the  
20 implementation of this section with the governor, the president and  
21 minority leader of the senate, the speaker and minority leader of the house  
22 of representatives and the state board of education.

23 Sec. 2. K.S.A. 21-5515 is hereby amended to read as follows: 21-  
24 5515. (a) Sexual extortion is:

25 (1) Communicating by any means *a demand for anything of value or*  
26 *a threat to injure the property or reputation of a person, commit violence*  
27 *against a person; or distribute an image, video or other recording of a*  
28 *person that is of a sexual nature or depicts*—*such a person in a state of*  
29 *nudity:*

30 (1)(A) With the intent to coerce—*such a person to:*

31 (A)(i) Engage in sexual contact, sexual intercourse or conduct that is  
32 of a sexual nature; or

33 (B)(ii) produce, provide or distribute an image, video or other  
34 recording of a person in a state of nudity or engaging in conduct that is of  
35 a sexual nature; or

1       (2)(B) that causes such a person to:

2       (A)(i) Engage in sexual contact, sexual intercourse or conduct that is

3 of a sexual nature; or

4       (B)(ii) produce, provide or distribute an image, video or other

5 recording of a person in a state of nudity or engaging in conduct that is of

6 a sexual nature; or

7       (2) *communicating by any means a threat to distribute an image,*

8 *video or other recording of a person that is of a sexual nature or depicts a*

9 *person in a state of nudity:*

10      (A) *With the intent to coerce such person to:*

11       (i) *Engage in sexual contact, sexual intercourse or conduct that is of*

12 *a sexual nature;*

13       (ii) *produce, provide or distribute an image, video or other recording*

14 *of a person in a state of nudity or engaging in conduct that is of a sexual*

15 *nature; or*

16       (iii) *produce or provide anything of value; or*

17       (B) *that causes such person to:*

18       (i) *Engage in sexual contact, sexual intercourse or conduct that is of*

19 *a sexual nature;*

20       (ii) *produce, provide or distribute an image, video or other recording*

21 *of a person in a state of nudity or engaging in conduct that is of a sexual*

22 *nature; or*

23       (iii) *produce or provide anything of value.*

24       (b) *Aggravated sexual extortion causing great bodily harm is sexual*

25 *extortion as defined in subsection (a) resulting in great bodily harm to the*

26 *victim and the trier of fact finds that the sexual extortion of the victim was*

27 *the proximate cause of the great bodily harm.*

28       (c) *Aggravated sexual extortion causing death is sexual extortion as*

29 *defined in subsection (a) resulting in the death of the victim and the trier*

30 *of fact finds that the sexual extortion of the victim was the proximate cause*

31 *of the death.*

32       (d) *Sexual extortion as defined in:*

33       (1) *Subsection (a)(1)(A) or (a)(2)(A) is a:*

34       (A) *Severity level 7, person felony, except as provided in subsection*

35 *(d)(1)(B); and*

36       (B) *severity level 6, person felony when the offender is 18 years of*

37 *age or older and the victim is:*

38       (i) *Less than 18 years of age; or*

39       (ii) *a dependent adult; and*

40       (2) *subsection (a)(2)(a)(1)(B) or (a)(2)(B) is a:*

41       (A) *Severity level 4, person felony, except as provided in subsection*

42 *(d)(2)(B); and*

43       (B) *a severity level 3, person felony when the offender is 18 years of*

1     age or older and the victim is:

2       (i) Less than 18 years of age; or  
3       (ii) a dependent adult.

4       (e)(e) Aggravated sexual extortion causing great bodily harm is a  
5     severity level 3, person felony.

6       (f) Aggravated sexual extortion causing death is a severity level 1,  
7     person felony.

8       (g) It shall not be a defense that the victim contributed to the victim's  
9     own great bodily harm or death.

10      (h) As used in this section:

11       (1) "Dependent adult" means the same as defined in K.S.A. 21-5417,  
12     and amendments thereto; and

13       (2) "image, video or other recording" includes any image, video or  
14     other recording that has been created, in whole or in part, altered or  
15     modified by artificial intelligence or any digital means to appear to depict  
16     or purport to depict a person, regardless of whether such person was  
17     involved in the creation of the original image, video or other recording.

18       (i) This section shall be a part of and supplemental to the Kansas  
19     criminal code.

20     Sec. 3. K.S.A. 21-5515 is hereby repealed.

21     Sec. 4. This act shall take effect and be in force from and after its  
22     publication in the statute book.