

As Amended by House Committee

Session of 2026

HOUSE BILL No. 2594

By Committee on Judiciary

Requested by Steve Kearney on behalf of Kansas County and District Attorneys
Association

1-29

AN ACT concerning crimes, punishment and criminal procedure; relating to blackmail; modifying the elements related to threatened dissemination of any videotape, photograph, film or image of another identifiable person who is nude or engaged in sexual activity by ~~removing~~ **changing** the connection to breach of privacy and describing the content of the videotape, photograph, film or image; amending K.S.A. 21-5428 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 21-5428 is hereby amended to read as follows: 21-5428. (a) Blackmail is intentionally gaining or attempting to gain anything of value or compelling or attempting to compel another to act against such person's will, **excluding sexual contact, sexual intercourse or conduct that is of a sexual nature**, by threatening to:

(1) Communicate accusations or statements about any person that would subject such person or any other person to public ridicule, contempt or degradation; or

(2) ~~disseminate any videotape, photograph, film or image obtained in violation of K.S.A. 21-6101(a)(6) or (a)(8), and amendments thereto,~~
video or other recording;

(A) Obtained in violation of K.S.A. 21-6101(a)(6), and amendments thereto; or

(B) ~~of another identifiable person who is nude or engaged in sexual activity, including, but not limited to, any videotape, photograph, film or image, video or other recording that has been created, in whole or in part, altered or modified by artificial intelligence or any digital means to appear to depict or purport to depict such identifiable person, regardless of whether such identifiable person was involved in the creation of the original image,~~ video or other recording.

(b) Blackmail as defined in:

(1) Subsection (a)(1) is a severity level 7, nonperson felony; and

(2) subsection (a)(2) is a severity level 4, person felony.

Sec. 2. K.S.A. 21-5428 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.