

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

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to blackmail; modifying the elements related to threatened
3 dissemination of any videotape, photograph, film or image of another
4 identifiable person who is nude or engaged in sexual activity by
5 **removing changing** the connection to breach of privacy and describing
6 the content of the videotape, photograph, film or image; amending
7 K.S.A. 21-5428 and repealing the existing section.
8

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

10 Section 1. K.S.A. 21-5428 is hereby amended to read as follows: 21-
11 5428. (a) Blackmail is intentionally gaining or attempting to gain anything
12 of value or compelling or attempting to compel another to act against such
13 person's will, **excluding sexual contact, sexual intercourse or conduct**
14 **that is of a sexual nature**, by threatening to:

15 (1) Communicate accusations or statements about any person that
16 would subject such person or any other person to public ridicule, contempt
17 or degradation; or
18 (2) disseminate any ~~videotape, photograph, film or image obtained in~~
19 ~~violation of K.S.A. 21-6101(a)(6) or (a)(8), and amendments thereto,~~
20 ~~video or other recording:~~

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

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

30 (b) Blackmail as defined in:

31 (1) Subsection (a)(1) is a severity level 7, nonperson felony; and
32 (2) subsection (a)(2) is a severity level 4, person felony.

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 K.S.A. 21-5428 is hereby repealed.

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

1 publication in the statute book.