

{As Amended by House Committee of the Whole}

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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~~, **video or**
4 **other recording** of another identifiable person who is nude or
5 engaged in sexual activity by ~~removing~~ **changing** the connection to
6 breach of privacy and describing the content of the ~~videotape,~~
7 ~~photograph, film or image~~, **video or other recording**; amending
8 K.S.A. 21-5428 and repealing the existing section.
9

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

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

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

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

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

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

31 (b) Blackmail as defined in:

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

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

2 **{(c) As used in this section, "image, video or other recording"**
3 **means any photograph, film, video picture, digital or computer-**
4 **generated image or picture, whether made or produced by electronic,**
5 **mechanical or other means.}**

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 K.S.A. 21-5428 is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the statute book.