

SESSION OF 2026

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2537**

As Amended by House Committee of the Whole

**Brief\***

HB 2537, as amended, would create “Caleb’s Law,” which would amend the definition of the crime of sexual extortion to include additional conduct; create the crimes of aggravated sexual extortion causing great bodily harm and aggravated sexual extortion causing death; and require the Attorney General to prepare and provide certain educational materials and information concerning sexual extortion.

***Sexual Extortion***

The bill would amend the definition of sexual extortion by adding provisions that include communicating by any means a threat to distribute an image, video, or other recording of a person that is of a sexual nature, or depicts a person in a state of nudity:

- With the intent to coerce such person to produce or provide anything of value; or
- That causes the person to produce or provide anything of value.

***Sexual Extortion Criminal Penalties***

The bill would raise criminal penalties for existing sexual extortion offenses in certain circumstances and would specify the criminal penalty for the offenses created by the bill.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

*Communicating Threats with Intent to Coerce—Engage in Sexual Conduct or Create, Provide, or Distribute a Sexual Recording*

[Note: The base offense would continue to be classified as a severity level 7 person felony.]

If the offender is over age 18, and the victim is less than age 18, or the victim is a dependent adult, the offense would be a severity level 6 person felony.

*Communicating Threats with Intent to Coerce—Produce or Provide Anything of Value*

The offense would be classified as a severity level 7 person felony.

If the offender is over age 18, and the victim is less than age 18, or the victim is a dependent adult, the offense would be a severity level 6 person felony.

*Communicating Threats That Causes Victim to Engage in Sexual Conduct or Create, Provide, or Distribute a Sexual Recording*

[Note: The base offense would continue to be classified as a severity level 4 person felony.]

If the offender is over age 18, and the victim is less than age 18, or the victim is a dependent adult, the offense would be a severity level 3 person felony.

*Communicating Threats That Causes Victim to Produce or Provide Anything of Value*

The offense would be classified as a severity level 4 person felony.

If the offender is over age 18, and the victim is less than age 18, or the victim is a dependent adult, the offense would be a severity level 3 person felony.

### ***Aggravated Sexual Extortion Causing Great Bodily Harm***

The bill would create a new offense of aggravated sexual extortion causing great bodily harm, which would be defined as sexual extortion resulting in great bodily harm to the victim and the trier of fact finds that the sexual extortion of the victim was the proximate cause of such harm. It would not be a defense that the victim contributed to their own great bodily harm.

Aggravated sexual extortion causing great bodily harm would be classified as a severity level 3 person felony.

### ***Aggravated Sexual Extortion Causing Death***

The bill would create a new offense of aggravated sexual extortion causing death, which would be defined as sexual extortion resulting in death to the victim and the trier of fact finds that the sexual extortion of the victim was the proximate cause of the victim's death. It would not be a defense that the victim contributed to their own death.

Aggravated sexual extortion causing death would be classified as a severity level 1 person felony.

### ***Definitions***

The bill would define the terms "image, video, or other recording" to mean any photograph, film, video, picture, digital or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, including, but not limited to, any such item 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 a person, regardless of whether such person was involved in the creation of the original image, video, or other recording.

The term “dependent adult” would mean the same as defined in the crime of mistreatment of a dependent adult or elder person in the Kansas Criminal Code.

### ***Attorney General Educational Materials***

The Attorney General would be required to prepare and provide educational materials and information concerning sexual extortion as defined by the bill. The Attorney General would be required to collaborate with the State Board of Education and law enforcement agencies to educate and notify schools, students, parents and guardians, and the public about the amendments made by the bill and the availability of educational materials and information concerning sexual extortion.

On or before July 1, 2027, and annually thereafter, the Attorney General would be required to file a report regarding implementation of the educational materials requirements of the bill with the Governor, the Senate President and Senate Minority Leader, the Speaker of the House of Representatives and the Minority Leader of the House of Representatives, and the State Board of Education.

### **Background**

The bill was introduced by the House Committee on Judiciary at the request of Representative Lewis.

### ***House Committee on Judiciary***

In the House Committee hearing, **proponent** testimony was provided by a representative of Evan's Voice and two private citizens, who stated the bill would address sexual extortion of children by strengthening penalties and requiring educational programs in schools.

Written-only proponent testimony was provided by a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association; representatives of the Kansas Coalition against Sexual and Domestic Violence, and Project Heaven Child Advocacy, and a private citizen.

Written-only **neutral** testimony was provided by a representative of the Office of the Attorney General, who suggested revisions and clarifications to provisions concerning communicating by threats and the definition of image, video, or other recording.

The House Committee amended the bill by:

- Revising provisions of the bill related to communicating by threats to distribute an image, video, or other recording; and
- Revising the definition for the terms "image, video, or other recording."

### ***House Committee of the Whole***

The House Committee of the Whole amended the bill to name its provisions as "Caleb's Law." [Note: The bill would be named in memory of a child victim of sexual extortion.]

## **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration (OJA) stated that enactment of the bill could increase the number of cases filed in district courts because it would expand sexual extortion crimes, which would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases.

Because the bill increases criminal penalties, there could be less supervision of offenders performed by court services officers, which could decrease supervision fee revenues in its Correctional Supervision Fund and also decrease certain fees that would be deposited into the State General Fund (SGF).

The Sentencing Commission estimates that enactment of the bill would not change the adult prison beds needed by the end of FY 2027. By the end of FY 2036, two to four additional beds would be needed. The current estimated available bed capacity is 9,924 for males and 968 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2026 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 9,176 male and 924 female inmates in FY 2026 and 9,485 male and 953 female inmates in FY 2027. Based on the Commission's estimates, the Department of Corrections states the bill would not increase expenditures in FY 2027 but would increase expenditures by \$1,496 from the SGF in FY 2028.

The Office of the Attorney General (Office) states that to carry out the requirements of the bill, it would need 2.00 positions at a cost of \$213,887 from the SGF in FY 2027. Of that amount, \$133,905 would be for 1.00 Assistant Attorney General, \$62,366 would be for 1.00 Program Consultant, and \$17,616 would be for office space, training, and other related expenditures. The Office estimates expenditures of \$220,303

in FY 2028, which is an increase of 3.0 percent above the FY 2027 amount.

The Department of Education, Kansas Bureau of Investigation, and Kansas Highway Patrol all state that the bill would not have a fiscal effect. Any fiscal effect associated with the bill is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties states that enactment of the bill would have a fiscal effect on counties. The Association indicates that counties would have to create and implement new criminal procedures, such as training, filing new charges, and distribution of the materials created by the Attorney General. However, the Association cannot estimate a fiscal effect. The League of Kansas Municipalities states that the bill would not have a fiscal effect on cities.

Crimes; sexual extortion