

HOUSE BILL No. 2753

By Committee on Judiciary

Requested by Representative Clayton on behalf of Diana Dean

2-7

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to sex offenses; creating the crime of aggravated sexual extortion and
3 providing criminal penalties therefor; adding making a demand for
4 money or other thing of value to the elements of the crime of sexual
5 extortion; amending K.S.A. 21-5515 and repealing the existing section.
6

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

8 Section 1. K.S.A. 21-5515 is hereby amended to read as follows: 21-
9 5515. (a) Sexual extortion is communicating by any means *a demand for*
10 *money or other thing of value or* a threat to injure the property or
11 reputation of a person, commit violence against a person, or distribute an
12 image, video or other recording of a person that is of a sexual nature or
13 depicts such person in a state of nudity:

14 (1) With the intent to coerce such person to: (A) Engage in sexual
15 contact, sexual intercourse or conduct that is of a sexual nature; or (B)
16 produce, provide or distribute an image, video or other recording of a
17 person in a state of nudity or engaging in conduct that is of a sexual nature;
18 or

19 (2) that causes such person to: (A) Engage in sexual contact, sexual
20 intercourse or conduct that is of a sexual nature; or (B) produce, provide or
21 distribute an image, video or other recording of a person in a state of
22 nudity or engaging in conduct that is of a sexual nature.

23 (b) *Aggravated sexual extortion is sexual extortion as defined in*
24 *subsection (a) when:*

25 (1) *Such extortion causes bodily harm, great bodily harm or death;*
26 *or*

27 (2) *the person who is the subject of such extortion is a person who is*
28 *under 18 years of age or a dependent adult as defined in K.S.A. 21-5417,*
29 *and amendments thereto.*

30 (c) (1) Sexual extortion as defined in:

31 ~~(1)(A)~~ Subsection (a)(1) is a severity level 7, person felony; and

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

33 (2) *Aggravated sexual extortion is a severity level 3, person felony.*

34 ~~(e)(d) This section shall be a part of and supplemental to the Kansas~~
35 ~~criminal code. If an offender violates this section by engaging in conduct~~

1 *that would constitute a violation of K.S.A. 21-5510, and amendments*
2 *thereto, the provisions of K.S.A. 21-5510, and amendments thereto, shall*
3 *apply, not this section.*

4 Sec. 2. K.S.A. 21-5515 is hereby repealed.

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