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DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 289

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL EXTORTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 5, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 774. Sexual extortion; class E felony.

A person is guilty of sexual extortion when the person intentionally compels or induces another person to engage in any sexual act involving contact, penetration or intercourse with the person or another or others, or to produce a visual depiction of the person or another who is nude, or who is engaging in sexual conduct, with the person or another or others by means of instilling in the victim a fear that, if such sexual act or production is not performed, the defendant or another will:

(1) Cause physical injury to anyone;

(2) Cause damage to property;

(3) Engage in other conduct constituting a crime;

(4) Accuse anyone of a crime or cause criminal charges to be instituted against anyone;

(5) Expose a secret or publicize an asserted fact, whether true or false, intending to subject anyone to hatred, contempt or ridicule;

(6) Falsely testify or provide information or withhold testimony or information with respect to another's legal claim or defense; ~~or~~

(7) Reproduce, distribute, exhibit, publish, transmit, or otherwise disseminate a visual depiction of any person who is nude, or who is engaging in sexual conduct; or

~~(7)~~ (8) Perform any other act which is calculated to harm another person materially with respect to the other person's health, safety, business, calling, career, financial condition, reputation or personal relationships.

SYNOPSIS

This Act expands the scope of the sexual extortion law to include: a) compelling or inducing another person to produce a visual depiction of the person or another who is nude or who is engaging in sexual conduct, and b) threatening to reproduce, distribute, exhibit, publish, transmit, or otherwise disseminate a visual depiction of a person who is nude, or who is engaging in sexual conduct.

Author: Senator Poore