

[First Reprint]

**ASSEMBLY, No. 343**

**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

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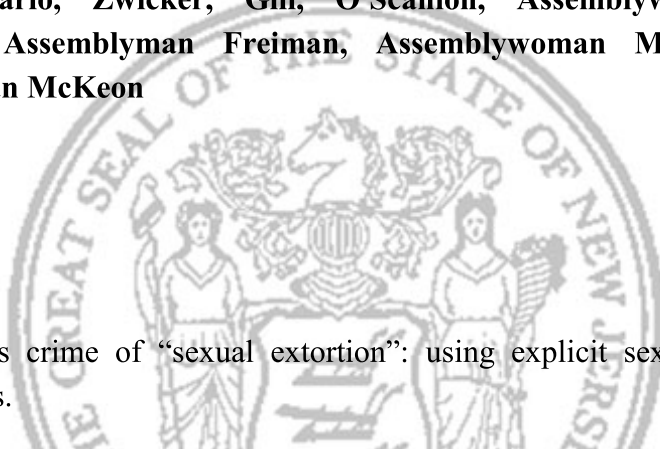
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**SYNOPSIS**

Establishes crime of "sexual extortion": using explicit sexual images to extort victims.



1 AN ACT concerning certain criminal sexual activity and  
2 supplementing Title 2C of the New Jersey Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. An actor commits the crime of sexual extortion if:

8 a. with the purpose to coerce another person to<sup>1</sup>; <sup>1</sup> engage in  
9 sexual contact, sexual penetration, or simulated sexual contact or  
10 <sup>1</sup>sexual<sup>1</sup> penetration <sup>1</sup>, expose their intimate parts<sup>1</sup>, or <sup>1</sup>to<sup>1</sup>  
11 produce, <sup>1</sup>provide, or distribute<sup>1</sup> photograph, film, videotape,  
12 record, or otherwise reproduce in any manner,<sup>1</sup> any image, video, or  
13 other recording of any individual's intimate parts or <sup>1</sup>an<sup>1</sup> any<sup>1</sup>  
14 individual engaged in sexual contact <sup>1</sup>or<sup>1</sup> <sup>1</sup>sexual penetration,<sup>1</sup> <sup>1</sup>or  
15 simulated sexual contact or sexual penetration,<sup>1</sup> the actor  
16 communicates <sup>1</sup>in person or<sup>1</sup> by <sup>1</sup>electronic<sup>1</sup> any<sup>1</sup> means a  
17 threat:

18 (1) to the <sup>1</sup>victim's<sup>1</sup> person, property, or reputation <sup>1</sup>of the  
19 victim or any other person<sup>1</sup>; or

20 (2) to disclose an image <sup>1</sup>or<sup>1</sup> <sup>1</sup>video<sup>1</sup>, or other recording<sup>1</sup> of  
21 the victim <sup>1</sup>or any other person<sup>1</sup> engaged in sexual contact, sexual  
22 penetration, simulated sexual contact or penetration, or of <sup>1</sup>an  
23 individual's<sup>1</sup> the victim's or any other person's<sup>1</sup> intimate parts; or

24 b. the actor knowingly causes <sup>1</sup>a victim<sup>1</sup> another person<sup>1</sup> to  
25 engage in sexual contact, sexual penetration, or<sup>1</sup>; <sup>1</sup> simulated sexual  
26 contact or penetration <sup>1</sup>, or expose their intimate parts<sup>1</sup>, or <sup>1</sup>to<sup>1</sup>  
27 produce, <sup>1</sup>provide, or distribute<sup>1</sup> photograph, film, videotape,  
28 record, or otherwise reproduce in any manner,<sup>1</sup> any image, video, or  
29 other recording of any individual's intimate parts or <sup>1</sup>an<sup>1</sup> any<sup>1</sup>  
30 individual engaged in sexual contact <sup>1</sup>or<sup>1</sup> <sup>1</sup>sexual penetration,<sup>1</sup> <sup>1</sup>or  
31 simulated sexual contact or penetration;<sup>1</sup> by <sup>1</sup>communicating by  
32 any<sup>1</sup> means <sup>1</sup>of<sup>1</sup> a threat:

33 (1) to <sup>1</sup>the victim's<sup>1</sup> person, property, or reputation <sup>1</sup>of the  
34 victim or any other person<sup>1</sup>; or

35 (2) to disclose an image <sup>1</sup>or<sup>1</sup> <sup>1</sup>video<sup>1</sup>, or other recording<sup>1</sup> of  
36 the victim <sup>1</sup>or any other person<sup>1</sup> engaged in sexual contact, sexual  
37 penetration, simulated sexual contact or <sup>1</sup>sexual<sup>1</sup> penetration, or of  
38 <sup>1</sup>an individual's<sup>1</sup> the victim's or any other person's<sup>1</sup> intimate

1 c. An actor is guilty of aggravated sexual extortion if the actor  
2 commits an act of sexual extortion <sup>1</sup>[on] pursuant to subsection a.  
3 or b. of this section with purpose to coerce, or the knowingly  
4 cause,<sup>1</sup> a child under the age of 18 years or an adult with a  
5 developmental disability <sup>1</sup>to:

6 (1) engage in sexual contact, sexual penetration, or simulated  
7 sexual contact or penetration;

8 (2) expose their intimate parts; or

9 (3) produce, photograph, film, videotape, record, or otherwise  
10 reproduce in any manner, any image, video, or other recording of  
11 any individual's intimate parts or any individual engaged in sexual  
12 contact, sexual penetration, or simulated sexual contact or sexual  
13 penetration<sup>1</sup>.

14 Aggravated sexual extortion is crime of the second degree.

15 <sup>1</sup>d. For purposes of this section:

16 “Developmental disability” has the definition set forth in section  
17 3 of P.L.1977, c.82 (C.30:6D-3).

18 “Disclose” means sell, manufacture, give, provide, lend, trade,  
19 mail, deliver, transfer, publish, distribute, circulate, disseminate,  
20 present, exhibit, advertise, offer, share, or make available via the  
21 Internet or by any other means.

22 “Intimate parts” has the definition set forth in N.J.S.2C:14-1.

23 “Sexual contact” means sexual contact as defined in  
24 N.J.S.2C:14-1.

25 “Sexual penetration” has the definition set forth in N.J.S.2C:14-  
26 1.

27 <sup>1</sup>e. Nothing contained in this section shall be construed to  
28 preclude or limit a prosecution or conviction of any person for  
29 aggravated sexual assault or sexual assault pursuant to N.J.S.2C:14-  
30 2, invasion of privacy pursuant to N.J.S.2C:14-9, theft by extortion  
31 pursuant to N.J.S.2C:20-5, or any other offense.<sup>1</sup>

32

33 2. This act shall take effect immediately.