

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1196**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

9           **SECTION 1.** This act shall be known and may be cited as  
10 "Walker's Law."

11           **SECTION 2.** As used in this section, the following words have  
12 the meaning ascribed herein unless the context clearly requires  
13 otherwise:

14                   (a) "Adult" means a person eighteen (18) years or  
15 older.

16                   (b) "Minor" means any person under eighteen (18) years  
17 of age at the time of the alleged offense.



18           (c) "Great bodily injury" means bodily injury which  
19 causes a substantial risk of death, serious permanent  
20 disfigurement, or protracted loss or impairment of the function of  
21 a bodily member or organ.

22           (d) "Private image" means an image depicting sexually  
23 explicit nudity, sexual activity, sexual conduct as defined in  
24 Section 97-29-64, sexually explicit conduct as defined in Section  
25 97-5-31, or sexual intercourse as defined in Section 97-3-65.

26           (e) "Image" means a photograph, film, videotape,  
27 recording, live transmission, digital or computer-generated visual  
28 depiction, or any other reproduction made by electronic,  
29 mechanical or other means.

30           (f) "Electronic mail" means the transmission of  
31 information or communication by the use of the internet, a  
32 computer, a facsimile machine, a pager, a cellular telephone, a  
33 video recorder or other electronic means sent to a person  
34 identified by a unique address or address number and received by  
35 that person.

36           (g) "Electronic communication" means any transfer of  
37 signs, signals, writing, images, sounds, data or intelligence of  
38 any nature, transmitted in whole or in part by a wire, radio,  
39 computer, electromagnetic, photoelectric or photo-optical system.

40           (h) "Disclose" means exhibit, transfer, publicize,  
41 distribute or reproduce.



42 (i) "Vulnerable person" has the same meaning as in  
43 Section 43-47-5.

44 **SECTION 3.** A person commits the offense of sexual extortion  
45 if the person intentionally threatens, including through the use  
46 of electronic mail or electronic communication, to release,  
47 exhibit or distribute a private image of another in order to  
48 compel or attempt to compel the victim to do any act or refrain  
49 from doing any act against his or her will, with the intent to  
50 obtain an additional private image or anything else of value.  
51 Notwithstanding provisions of this act to the contrary, a person  
52 convicted of sexual extortion shall be imprisoned:

53 (a) Not more than five (5) years for a first offense;

54 (b) Not more than ten (10) years for a second offense;

55 or

56 (c) Not more than twenty (20) years for a third or  
57 subsequent offense.

58 **SECTION 4.** (1) A person commits the offense of aggravated  
59 sexual extortion if the person intentionally threatens, including  
60 through the use of electronic mail or electronic communication, to  
61 release, exhibit or distribute a private image of another in order  
62 to compel or attempt to compel the victim to do any act or refrain  
63 from doing any act against his or her will, with the intent to  
64 obtain an additional private image or anything else of value, and  
65 either:



66 (a) The victim is a minor or vulnerable person, and the  
67 person convicted of sexual extortion is an adult; or

68 (b) The victim suffers great bodily injury or death,  
69 and the appropriate court finds beyond a reasonable doubt that the  
70 sexual extortion of the victim was the proximate cause of the  
71 great bodily injury or death.

72 (2) A person convicted of aggravated sexual extortion shall  
73 be imprisoned not more than twenty (20) years.

74 **SECTION 5.** The youth court may order as a condition of  
75 sentencing behavioral health counseling from an appropriate agency  
76 or provider for any juvenile adjudicated under this act.

77 **SECTION 6.** For the purposes of venue under the provisions of  
78 this section, any violation of this section may be prosecuted in  
79 the county in which the communication originated, the county in  
80 which the communication was made, the county in which the  
81 communication was received or the county in which any act in  
82 execution or furtherance of the scheme occurred.

83 **SECTION 7.** This act shall take effect and be in force from  
84 and after July 1, 2024, and shall stand repealed on June 30, 2024.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO ENACT WALKER'S LAW TO CREATE THE OFFENSE OF SEXUAL  
2 EXTORTION; TO DEFINE TERMS; TO CREATE THE OFFENSE OF SEXUAL  
3 EXTORTION AND AGGRAVATED SEXUAL EXTORTION; TO CREATE THE OFFENSE  
4 OF MISDEMEANOR SEXUAL EXTORTION WHEN THE OFFENDER IS A MINOR; TO  
5 PROVIDE CRIMINAL PENALTIES FOR THE OFFENSES; TO DEFINE PROPER



6 CRIMINAL VENUE FOR THE PROSECUTION OF OFFENSES CREATED UNDER THIS  
7 ACT; AND FOR RELATED PURPOSES.

