

AMENDMENTS TO HOUSE BILL NO. 1402

Sponsor: REPRESENTATIVE KAUFFMAN

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1 Amend Bill, page 2, lines 24 through 30; page 3, line 1; by
2 striking out all of said lines on said pages and inserting

3 (c) Demanding property.--A person commits the offense of
4 sexual extortion if the person knowingly or intentionally:

5 (1) solicits or demands the payment of money, property
6 or services or any other thing of value from the complainant
7 in exchange for removing from public view or preventing the
8 disclosure of any image, video, recording or other material
9 obtained through a violation of subsection(a) (2); or

10 (2) disseminates, transmits or distributes, or threatens
11 to disseminate, transmit or distribute, an image, video,
12 recording or other material depicting the complainant in a
13 state of nudity or engaging in sexual conduct or the
14 simulation of sexual conduct to another person or entity,
15 including a commercial social networking site, and solicits
16 or demands the payment of money, property or services or any
17 other thing of value from the complainant in exchange for
18 removing from public view or preventing disclosure of the
19 image, video, recording or other material.

20 Amend Bill, page 4, by inserting between lines 22 and 23

21 (i) Applicability.--Nothing in this section shall be
22 construed to apply to:

23 (1) A person who acts within the legitimate and lawful
24 course of the person's employment.

25 (2) Works of public interest, including commentary,
26 satire or parody.

27 Amend Bill, page 4, line 23, by striking out "(i)" and
28 inserting

29 (j)

30 Amend Bill, page 4, by inserting between lines 25 and 26

31 "Commercial social networking site." A business,
32 organization or other similar entity that operates an Internet
33 website and permits persons to become registered users for the

1 purposes of establishing personal relationships with other users
2 through direct or real-time communication with other users or
3 the creation of web pages or profiles available to the public or
4 to other users. The term does not include an electronic mail
5 program or a message board program.