

HOUSE BILL 579

E1

5lr1787

By: **Charles County Delegation**

Introduced and read first time: February 12, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Extortion of Sexual Images**

3 FOR the purpose of prohibiting a person from threatening another verbally or in writing
4 with the intent to extort sexually explicit or nude photographs or video footage or
5 other visual representations of the other person; providing penalties for a violation
6 of this Act; and generally relating to extortion.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 3–705 and 3–706
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2014 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Criminal Law**

15 3–705.

16 (a) A person, with the intent to unlawfully extort **FROM ANOTHER** money,
17 property, labor, services, **SEXUALLY EXPLICIT OR NUDE PHOTOGRAPHS, VIDEO**
18 **FOOTAGE OR OTHER VISUAL REPRESENTATIONS OF THE OTHER PERSON**, or anything
19 of value [from another], may not verbally threaten to:

20 (1) accuse any person of a crime or of anything that, if true, would bring
21 the person into contempt or disrepute; or

22 (2) (i) cause physical injury to a person;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (ii) inflict emotional distress on a person;
- 2 (iii) cause economic damage to a person; or
- 3 (iv) cause damage to the property of a person.

4 (b) A person who violates this section is guilty of a felony and on conviction is
5 subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

6 3-706.

7 (a) (1) This section applies to any writing, whether or not the writing is signed,
8 or if the writing is signed, whether or not it is signed with a fictitious name or any other
9 mark or designation.

10 (2) This section does not apply to a good faith reasonable notice of dishonor
11 and warning of criminal prosecution under Title 8, Subtitle 1 of this article given by a holder
12 of an instrument to the maker of the instrument.

13 (b) A person, with the intent to unlawfully extort **FROM ANOTHER** money,
14 property, **SEXUALLY EXPLICIT OR NUDE PHOTOGRAPHS, VIDEO FOOTAGE OR OTHER**
15 **VISUAL REPRESENTATIONS OF THE OTHER PERSON**, or anything of value [from
16 another], may not knowingly send or deliver, or make for the purpose of being sent or
17 delivered and part with the possession of, a writing threatening to:

18 (1) accuse any person of a crime or of anything that, if true, would bring
19 the person into contempt or disrepute; or

- 20 (2) (i) cause physical injury to a person;
- 21 (ii) inflict emotional distress on a person;
- 22 (iii) cause economic damage to a person; or
- 23 (iv) cause damage to the property of a person.

24 (c) A person who violates this section is guilty of a felony and on conviction is
25 subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2015.