

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 343

**STATE OF NEW JERSEY**

DATED: JANUARY 19, 2023

The Assembly Judiciary Committee reports favorably Assembly Bill No. 343.

This bill would make it a crime of the third degree to commit the act of “sexual extortion”: using explicit sexual images to extort victims.

Under this bill, an actor is guilty of “sexual extortion” if with the purpose to coerce another person to engage in sexual contact, sexual penetration, or simulated sexual contact or penetration, or to produce, provide, or distribute any image, video, or other recording of any individual’s intimate parts or engaged in sexual contact or sexual penetration, the actor communicates in person or by electronic means a threat: (1) to the victim’s person, property, or reputation or (2) to disclose an image or video of the victim engaged in sexual contact, sexual penetration, simulated sexual contact or penetration, or of an individual’s intimate parts.

An actor is also guilty of this crime if the actor knowingly causes a victim to engage in sexual contact, sexual penetration, or simulated sexual contact or penetration, or to produce, provide, or distribute any image, video, or other recording of any individual’s intimate parts or an individual engaged in sexual contact or sexual penetration, by means of a threat: (1) to the victim’s person, property, or reputation or (2) to disclose an image or video of the victim engaged in sexual contact, sexual penetration, simulated sexual contact or penetration, or of an individual’s intimate parts. Sexual extortion would be a crime of the third degree. A third degree crime carries a penalty of three to five years imprisonment, up to a \$15,000 fine, or both.

“Disclose” is defined in the bill to mean to sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, publish, distribute, circulate, disseminate, present, exhibit, advertise, offer, share, or make available via the Internet or by any other means. “Sexual contact,” “sexual penetration,” and “intimate parts” have the meaning set forth in N.J.S.2C:14-1.

An actor is guilty of aggravated sexual extortion under the bill if he commits an act of sexual extortion on a child under 18 or an adult with a developmental disability. A crime of the second degree is generally punishable by a term of imprisonment of five to 10 years, a fine of up to \$150,000, or both. “Developmental disability”

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

This bill was prefiled for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.