

Effective 5/6/2026

76-5b-204 Sexual extortion.

- (1)
 - (a) As used in this section:
 - (i) "Adult" means an individual 18 years old or older.
 - (ii) "Child" means an individual under 18 years old.
 - (iii) "Counterfeit intimate image" means the same as that term is defined in Section 76-5b-205.
 - (iv) "Intimate image" means the same as that term is defined in Section 76-5b-203.
 - (v) "Sexually explicit conduct" means the same as that term is defined in Section 76-5b-203.
 - (vi) "Simulated sexually explicit conduct" means the same as that term is defined in Section 76-5b-203.
 - (b) Terms defined in Section 76-1-101.5 apply to this section.
- (2) An actor commits the offense of sexual extortion if the actor:
 - (a) with an intent to coerce a victim to engage in sexual contact, in sexually explicit conduct, or in simulated sexually explicit conduct, or to produce, provide, or distribute an image, video, or other recording of any individual naked or engaged in sexually explicit conduct:
 - (i) communicates, by any means, a threat:
 - (A) to the victim's person, property, or reputation; or
 - (B) to distribute an intimate image or counterfeit intimate image of the victim; or
 - (ii) after a request from the victim or a third party acting at the direction of the victim:
 - (A) declines to delete an intimate image or counterfeit intimate image of the victim from the actor's possession; or
 - (B) declines to remove or retract from an account managed by the actor on any website, application, or other electronic sharing platform, an intimate image or counterfeit intimate image of the victim previously posted or shared on the website, application, or other electronic sharing platform;
 - (b) knowingly causes a victim to engage in sexual contact, in sexually explicit conduct, or in simulated sexually explicit conduct, or to produce, provide, or distribute any image, video, or other recording of any individual naked or engaged in sexually explicit conduct:
 - (i) by communicating, through any means, a threat:
 - (A) to the victim's person, property, or reputation; or
 - (B) to distribute an intimate image or counterfeit intimate image of the victim; or
 - (ii) by declining, after receiving a request from the victim or a third party acting at the direction of the victim:
 - (A) to delete an intimate image or counterfeit intimate image of the victim from the actor's possession; or
 - (B) to remove or retract from an account managed by the actor on any website, application, or other electronic sharing platform, an intimate image or counterfeit intimate image of the victim previously posted or shared on the website, application, or other electronic sharing platform; or
 - (c) with intent to obtain a thing of value from a victim or compel the victim to do any act or refrain from doing any act against the victim's will:
 - (i) communicates, by any means, a threat to distribute an intimate image or counterfeit intimate image of the victim; or
 - (ii) after a request from the victim or a third party acting at the direction of the victim:
 - (A) declines to delete an intimate image or counterfeit intimate image of the victim from the actor's possession; or

(B) declines to remove or retract from an account managed by the actor on any website, application, or other electronic sharing platform, an intimate image or counterfeit intimate image of the victim previously posted or shared on the website, application, or other electronic sharing platform.

- (3)
 - (a) If the actor is an adult, a violation of Subsection (2) is a third degree felony with a mandatory fine of not less than \$5,000.
 - (b) If the actor is a child, a violation of Subsection (2) is a class A misdemeanor.
- (4) Upon a conviction for a violation of Subsection (2), the court shall order the imposition of at least the applicable minimum fine amount described in Subsection (3)(a) and may not waive or suspend the fine.
- (5) An actor commits a separate offense under this section:
 - (a) for each victim the actor subjects to the offense described in Subsection (2); and
 - (b) for each separate time the actor subjects a victim to the offense described in Subsection (2).
- (6) This section does not preclude an actor from being charged and convicted of a separate criminal act if the actor commits the separate criminal act while the actor violates or attempts to violate this section.
- (7) An interactive computer service, as defined in 47 U.S.C. Sec. 230, is not subject to liability under this section related to content provided by a user of the interactive computer service.
- (8) This section does not apply if:
 - (a) an actor and another individual are discussing an agreement regarding the mutual deletion or removal of intimate images of the individual in the actor's possession or control and intimate images of the actor in the individual's possession or control;
 - (b) the actor received the intimate images from the individual described in Subsection (8)(a) with the individual's consent;
 - (c) the actor is not threatening to distribute the intimate images of the individual; and
 - (d) there is no agreement for the exchange of any goods, services, or other consideration, or any other action by the actor or individual, except for the mutual deletion or removal of the intimate images.

Amended by Chapter 330, 2026 General Session