

§ 14-202.7. Sexual extortion; aggravated sexual extortion.

(a) Definitions. – The following definitions apply in this section:

- (1) Adult. – A person 18 years or older.
- (2) Disclose. – To transfer, publish, distribute, or reproduce.
- (3) Image. – A photograph, film, videotape, recording, live transmission, digital or computer-generated visual depiction, including a realistic visual depiction created, adapted, or modified by technological means, including algorithms or artificial intelligence, such that a reasonable person would believe the image depicts an identifiable individual, or any other reproduction that is created, adapted, or modified by electronic, mechanical, or other means.
- (4) Immediate family member. – As defined in G.S. 14-43.17.
- (5) Individual with a disability. – As defined in G.S. 14-32.1.
- (6) Minor. – A person who has not reached the age of 18 years.
- (7) Private image. – An image depicting sexual activity or sexually explicit nudity.
- (8) Sexual activity. – As defined in G.S. 14-190.13.
- (9) Sexually explicit nudity. – As defined in G.S. 14-190.13.

(b) Sexual Extortion. – A person commits the offense of sexual extortion if the person intentionally threatens to disclose a private image, or to decline to delete, remove, or retract a previously disclosed private image, of the victim or of an immediate family member of the victim in order to compel or attempt to compel the victim or an immediate family member of the victim to do any act or refrain from doing any act against the victim's will, with the intent to obtain additional private images or anything else of value or any acquittance, advantage, or immunity. A violation of this subsection is punishable as follows:

- (1) For an offense by a person who is an adult at the time of the offense, the violation is a Class F felony.
- (2) For a first offense by a person who is a minor at the time of the offense, the violation is a Class 1 misdemeanor.
- (3) For a second or subsequent offense by a person who is a minor at the time of the offense, the violation is a Class F felony.

(c) Aggravated Sexual Extortion. – A person commits the offense of aggravated sexual extortion if the person intentionally threatens to disclose a private image, or to decline to delete, remove, or retract a previously disclosed private image, of the victim or of an immediate family member of the victim in order to compel or attempt to compel the victim or an immediate family member of the victim to do any act or refrain from doing any act against the victim's will, with the intent to obtain additional private images or anything else of value or any acquittance, advantage, or immunity, and the victim is a minor or an individual with a disability and the person is an adult at the time of the offense. A violation of this subsection shall be punishable as a Class E felony. (2024-37, s. 1.)