

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 222

By Senator Woelfel

[Introduced February 12, 2025; referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §61-2-13 of the Code of West Virginia, 1931, as amended, relating to
2 the offenses of extortion and attempted extortion; including threats to publish images of a
3 person's intimate body parts as a means of committing extortion or attempted extortion;
4 defining the phrase "anything of value, or other consideration" to include certain defined
5 sexual acts and defining images of intimate body parts; and setting forth criminal penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-13. Extortion or attempted extortion by threats; penalties.

1 (a) A person who threatens injury to the character, person, or property, or other thing of
2 value of another person, or to the character, person, or property, or other thing of value of his or her
3 spouse or child, threatens to publish in any manner images of another person's intimate body
4 parts, or accuses him or her or them of a criminal offense, and thereby obtains anything of value,
5 or other consideration, he or she is guilty of a felony and, upon conviction thereof, shall be
6 ~~confined~~ imprisoned in a state correctional facility for not less than one year nor more than five 10
7 years. A person who makes such threat of injury or accusation of an offense as set forth in this
8 section, but fails to obtain anything of value or other consideration, is guilty of a ~~misdemeanor~~
9 felony and, upon conviction thereof, shall be ~~confined~~ imprisoned in ~~jail~~ a state correctional facility
10 for not less than one year ~~two~~ nor more than ~~12 months~~ three years and fined not less than \$50
11 \$1,000 nor more than ~~\$500~~ \$5,000, or both fined and imprisoned.

12 (b) ~~For purposes of this article, "consideration" includes sexual acts as defined in §61-8B-1~~
13 ~~of this code, and images of intimate parts defined in §61-8-28a of this code~~

14 (b) As used in this section, the phrase "anything of value, or other consideration" includes,
15 but is not limited to, sexual acts as defined in §61-8B-1, and the term "intimate body parts" has the
16 same meaning as set forth in §61-8-28a.

NOTE: The purpose of this bill is to modify the offenses of extortion and attempted extortion, including threats to publish images of a person's intimate body parts as a means of committing extortion or attempted extortion. The bill defines the phrase "anything of

value, or other consideration" to include certain defined sexual acts and defining images of intimate body parts. Finally, the bill sets forth criminal penalties.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.