



SPONSOR: Sen. Pettyjohn & Rep. K. Williams
Sens. Buckson, Hansen, Hocker, Hoffner, Lawson,
Mantzavinos, Poore, Richardson, Wilson; Reps. Bush,
Griffith, Hilovsky, Osienski, Ross Levin, D. Short

DELAWARE STATE SENATE
153rd GENERAL ASSEMBLY

SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 142
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 AND TITLE 14 OF THE DELAWARE CODE RELATING TO SEXUAL
EXTORTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 774, Title 11 of the Delaware Code by making deletions as shown by strike through and
insertions as shown by underline as follows:

§ 774. Sexual extortion; class E ~~felony~~; felony; class B felony.

(a) A person is guilty of sexual extortion when the person ~~intentionally compels~~ intentionally:

(1) Compels or induces another person to ~~engage~~ do 1 or more of the following:

a. Engage in any sexual act involving contact, ~~penetration~~ penetration, or intercourse with the ~~person~~
defendant or another ~~or others, or to produce person~~.

b. Produce a visual depiction of the ~~person~~ victim or another person who is nude, or who is engaging in
sexual conduct, with the ~~person~~ victim or another ~~or others by person~~.

(2) By means of instilling in the victim a fear that, if ~~such~~ the sexual act or production is not performed, the
defendant or another ~~will~~ person will do 1 or more of the following:

(1) a. Cause physical injury to ~~anyone~~; anyone.

(2) b. Cause damage to ~~property~~; property.

(3) c. Engage in other conduct constituting a ~~crime~~; crime.

(4) d. Accuse anyone of a crime or cause criminal charges to be instituted against ~~anyone~~; anyone.

(5) e. Expose a secret or publicize an asserted fact, whether true or false, intending to subject anyone to
hatred, ~~contempt or ridicule~~; contempt, or ridicule.

(6) f. Falsely testify or provide information or withhold testimony or information with respect to
another's legal claim or ~~defense~~; defense.

(7) g. Reproduce, distribute, exhibit, publish, transmit, or otherwise disseminate a visual depiction of any person who is nude, or who is engaging in sexual ~~conduct~~, or conduct.

(8) h. Perform any other act which is calculated to materially harm another person ~~materially~~ with respect to the other person's health, safety, business, calling, career, financial condition, ~~reputation~~ reputation, or personal relationships. ~~Sexual~~

(b) Except as provided in subsection (c) of this section, sexual extortion is a class E felony.

(c) Sexual extortion is a Class B felony under any of the following circumstances:

(1) The defendant is an adult and the victim is 1 of the following:

a. A child, as defined in §1100 of this title.

b. A vulnerable adult, as defined in § 1105 of this title.

(2) A violation of subsection (a) of this section causes the victim to suffer serious physical injury or death.

Section 2. Amend § 4163, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4163. Child abuse and child safety awareness, prevention, detection, and reporting [For applicability of section, see 83 Del. Laws, c. 407, § 2].

(b) Educational programming. —

The Child Protection Accountability Commission and the Division of Family Services of the Department of Services for Children, Youth, and Their Families shall identify and maintain educational programming to be used by each school district and charter school for informing school district and charter school employees, students, and parents about personal body safety and child abuse and about how to detect and report child abuse. The Child Protection Accountability Commission and the Division of Family Services of the Department of Services for Children, Youth, and Their Families, in collaboration with the Department of Education, must review the educational programming and trainings required under this subsection every 3 years, at a minimum, and update the educational programming and trainings as needed to be relevant to Delaware students and conform with best practices. The educational programming must include all of the following:

(1) Training and education for school district and charter school employees that is evidence-based, whenever available, in order to raise awareness of issues regarding personal body safety, child abuse, child safety, sexual extortion, and adult sexual misconduct in ~~schools. Such schools.~~ The training and education must include: include all of the following:

(2) ~~(2)a.~~ Evidence-based, whenever available, age-appropriate instruction for students enrolled in grades pre-kindergarten through 12 that is related to personal body ~~safety and~~ safety, sexual ~~abuse~~ abuse, ~~and~~ other forms of child ~~abuse. Such~~ abuse, and sexual extortion. The instruction ~~shall~~ must include information on the difference between appropriate and inappropriate conduct and the actions that a child may take to be protected from sexual abuse and other forms of child abuse. ~~Such~~ The instruction ~~shall~~ must be designed to build on skills learned the previous year.

b. The instruction about sexual extortion must include age-appropriate instruction on the dangers and consequences of sexual extortion and resources for online safety.

(3) Information for parents of students enrolled in grades pre-kindergarten through 12, online or in-person upon request, on all of the following:

g. Effective, age-appropriate ways to discuss sexual extortion.

h. Warning signs that a child may be a victim of sexual extortion.

(4) Each school district and charter school shall require a school administrator, school nurse, or school counselor to receive training in addition to the requirements set forth in paragraph (b)(1) of this section. The training and education ~~to~~ must be evidence-based, whenever available, ~~that and must include:~~ include all of the following:

d. Coordination with law enforcement and Title IX coordinators for any suspected violation of applicable policies or civil or criminal law. law, including the crime of sexual extortion as defined in § 774 of Title 11.

Section 3. Section 1 of this Act is effective upon the Act's enactment into law. Section 2 of this Act is effective upon the Act's enactment into law and is implemented beginning on August 1, 2027.