



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRB-2773/1  
MJW:skw&emw

## 2025 SENATE BILL 222

April 25, 2025 - Introduced by Senators JAMES, TOMCZYK, CABRAL-GUEVARA and QUINN, cosponsored by Representatives SNYDER, B. JACOBSON, SPIROS, ARMSTRONG, BEHNKE, BRILL, CALLAHAN, DITTRICH, GOEBEN, GUNDRUM, JOERS, KAUFERT, KNODL, KREIBICH, KRUG, MAXEY, MCCARVILLE, MIRESE, MOSES, MURSAU, NOVAK, O'CONNOR, PIWOWARCZYK, RODRIGUEZ, SINICKI, STEFFEN, STUBBS, SUBECK, WICHGERS and DOYLE. Referred to Committee on Judiciary and Public Safety.

1     **AN ACT** *to amend* 48.685 (1) (c) 2., 48.686 (1) (c) 1., 51.20 (13) (ct) 1m. a., 51.20  
2           (13) (ct) 1m. b., 115.31 (2g) (c) 1., 115.31 (2r) (c) 3., 301.45 (1p) (b), 901.08 (1)  
3           (b), 938.34 (15m) (am) 1., 938.34 (15m) (am) 2., 938.345 (3) (d), 940.03, 946.82  
4           (4), 949.03 (2), 949.05 (intro.), 949.08 (2) (a), 968.26 (1b) (a) 2. a., 971.17 (1m)  
5           (b) 1m. a., 971.17 (1m) (b) 1m. b., 972.11 (2) (b) (intro.), 972.11 (2) (d) 1. (intro.),  
6           973.048 (1m) (a), 973.048 (1m) (b) and 995.50 (2) (am) 4.; **to create** 62.50 (1e)  
7           (cm), 942.095 and 949.03 (1s) of the statutes; **relating to:** extortion, sexual  
8           extortion, and providing a penalty.

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### ***Analysis by the Legislative Reference Bureau***

This bill creates a new crime for activity known as “sextortion.” Under the bill, it is a generally a Class I felony for a person to do any of the following:

1. Threaten to injure the property or reputation of another to coerce that person to engage in sexual conduct or to produce an intimate representation.
2. Threaten to commit violence against another to coerce that person to engage in sexual conduct or to produce an intimate representation.
3. Threaten to distribute an intimate representation of another person with

**SENATE BILL 222****SECTION 1**

intent to coerce that person to engage in sexual conduct, produce an intimate representation, or to provide payment of money, property, services, or anything of value, or to do or refrain from doing any act against that person's will.

Under the bill, such a violation is a Class H felony if the victim, as a result of the violation, engages in sexual conduct, produces an intimate representation, provides the payment of money, property, services, or any other thing of value, or suffers great bodily harm or if the victim is under age 18 and the defendant is not more than four years older than the victim, and such a violation is a Class G felony if the defendant was previously convicted of a sexually violent offense, the violation was committed during the course of a child abduction, or the victim is under age 18 and the defendant is more than four years older than the victim. Additionally, the bill provides that a person may be prosecuted for felony murder if the person commits extortion or sexual extortion and as a result of the violation causes the death of the victim.

Under current law, extortion generally is punishable as a Class I felony, and the penalty for felony murder is imprisonment for up to 15 years longer than the maximum term of imprisonment for the crime that caused the victim's death. Under current law, a Class I felony is punishable by a fine of up to \$10,000 or imprisonment for up to three years and six months, or both; a Class H felony is punishable by a fine of up to \$10,000 or imprisonment for up to six years, or both; and a Class G felony is punishable by a fine of up to \$25,000 or imprisonment for up to 10 years, or both.

This bill also provides that a crime victim, or the victim's family member, is eligible for payment from the Department of Justice's crime victim compensation fund if the crime victim is a victim of extortion or sexual extortion and is injured or dies as a result of the crime and provides that a crime victim, or the victim's family member, may be compensated for death or injury that results from suicide or attempted suicide if the crime was a substantial causal factor in the victim's suicide or attempted suicide.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

- 1       **SECTION 1.** 48.685 (1) (c) 2. of the statutes is amended to read:
- 2       48.685 (1) (c) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19
- 3       (2), (4), (5), or (6), 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2), or (3), 940.285 (2),
- 4       940.29, 940.295, 942.09 (2), 942.095, 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a)

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1 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085,  
2 948.11 (2) (a) or (am), 948.12, 948.125, 948.13, 948.21, 948.215, 948.30, or 948.53.

3 **SECTION 2.** 48.686 (1) (c) 1. of the statutes is amended to read:

4 48.686 (1) (c) 1. A violation of s. 940.12, 940.22 (2) or (3), 940.285 (2), 940.29,  
5 940.295, ~~or~~ 942.09 (2), or 942.095.

6 **SECTION 3.** 51.20 (13) (ct) 1m. a. of the statutes is amended to read:

7 51.20 (13) (ct) 1m. a. Except as provided in subd. 2m., if the subject individual  
8 is before the court on a petition filed under a court order under s. 938.30 (5) (c) 1.  
9 and is found to have committed any violation, or to have solicited, conspired, or  
10 attempted to commit any violation, of ch. 940, 944, or 948 or s. 942.08 ~~or~~, 942.09, or  
11 942.095, or ss. 943.01 to 943.15, the court may require the subject individual to  
12 comply with the reporting requirements under s. 301.45 if the court determines  
13 that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and  
14 that it would be in the interest of public protection to have the subject individual  
15 report under s. 301.45.

16 **SECTION 4.** 51.20 (13) (ct) 1m. b. of the statutes is amended to read:

17 51.20 (13) (ct) 1m. b. If a court under subd. 1m. a. orders a person to comply  
18 with the reporting requirements under s. 301.45 in connection with the commission  
19 of a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s.  
20 942.09 or 942.095, the court may provide that the person be released from the  
21 requirement to comply with the reporting requirements under s. 301.45 upon  
22 satisfying conditions specified by the court. If the person satisfies the conditions,  
23 the court shall notify the department of corrections that the person has satisfied  
24 the conditions.

**SENATE BILL 222****SECTION 5**

**SECTION 5.** 62.50 (1e) (cm) of the statutes is created to read:

62.50 (1e) (cm) Section 942.095.

**SECTION 6.** 115.31 (2g) (c) 1. of the statutes is amended to read:

115.31 (2g) (c) 1. A violation of s. 942.08, 942.09 (2), 942.095, 948.098, 948.10, or 948.11 (2) (a).

**SECTION 7.** 115.31 (2r) (c) 3. of the statutes is amended to read:

115.31 (2r) (c) 3. A conviction for a violation of s. 942.09 (2) or 942.095 if the person depicted in the representation is a child.

**SECTION 8.** 301.45 (1p) (b) of the statutes is amended to read:

301.45 (1p) (b) If a person is covered under sub. (1g) based solely on an order that was entered under s. 51.20 (13) (ct) 1m., 938.34 (15m) (am), 938.345 (3) (a), 971.17 (1m) (b) 1m., or 973.048 (1m) in connection with a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095, and the court provided in the order that the person be released from the requirement to comply with the reporting requirements under this section upon satisfying the conditions of the court order under s. 51.20 (13) (ct) 1m. or the dispositional order under subch. VI of ch. 938, upon the termination or expiration of a commitment order under s. 971.17, or upon successful completion of the sentence or probation as provided under s. 973.048 (1m) (b), whichever is applicable, and the person satisfies the conditions of the court order under s. 51.20 (13) (ct) 1m. or the dispositional order under subch. VI of ch. 938, the commitment order under s. 971.17 is terminated or expires, or the person successfully completes the sentence or probation, whichever is applicable, the person is no longer required to comply with the reporting requirements under this section.

**SENATE BILL 222****SECTION 9**

1           **SECTION 9.** 901.08 (1) (b) of the statutes is amended to read:

2           901.08 (1) (b) “Sexual misconduct” includes a violation of s. 940.22 (2),  
3           940.225 (1), (2), or (3), 940.32, 942.08, 942.09, 942.095, 948.02, 948.025, 948.05 (1)  
4           or (1m), 948.055 (1), 948.06, 948.07, 948.075, 948.08, 948.081, 948.09, 948.095,  
5           948.10, or 948.11 (2) and includes sexual harassment, as defined in s. 111.32 (13).

6           **SECTION 10.** 938.34 (15m) (am) 1. of the statutes is amended to read:

7           938.34 (**15m**) (am) 1. Except as provided in par. (bm), if the juvenile is  
8           adjudicated delinquent on the basis of any violation, or the solicitation, conspiracy,  
9           or attempt to commit any violation, under ch. 940, 944, or 948 or s. 942.08 ~~or~~,  
10          942.09, or 942.095, or ss. 943.01 to 943.15, the court may require the juvenile to  
11          comply with the reporting requirements under s. 301.45 if the court determines  
12          that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and  
13          that it would be in the interest of public protection to have the juvenile report under  
14          s. 301.45.

15          **SECTION 11.** 938.34 (15m) (am) 2. of the statutes is amended to read:

16          938.34 (**15m**) (am) 2. If the court under subd. 1. orders the juvenile to comply  
17          with the reporting requirements under s. 301.45 in connection with a violation, or  
18          the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095,  
19          the court may provide that the juvenile be released from the requirement to comply  
20          with the reporting requirements under s. 301.45 upon satisfying the conditions of  
21          the dispositional order imposed for the offense. If the juvenile satisfies the  
22          conditions of the dispositional order, the court shall notify the department of  
23          corrections that the juvenile has satisfied the conditions of the dispositional order.

24          **SECTION 12.** 938.345 (3) (d) of the statutes is amended to read:

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1           938.345 (3) (d) If the court under par. (a) orders the juvenile to comply with  
2           the reporting requirements under s. 301.45 in connection with a violation, or the  
3           solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095, the  
4           court may provide that the juvenile be released from the requirement to comply  
5           with the reporting requirements under s. 301.45 upon satisfying the conditions of  
6           the dispositional order imposed for the offense. If the juvenile satisfies the  
7           conditions of the dispositional order, the clerk of the court shall notify the  
8           department of corrections and the department of children and families that the  
9           juvenile has satisfied the conditions of the dispositional order.

10           **SECTION 13.** 940.03 of the statutes is amended to read:

11           **940.03 Felony murder.** Whoever causes the death of another human being  
12           while committing or attempting to commit a crime specified in s. 940.19, 940.195,  
13           940.20, 940.201, 940.203, 940.204, 940.225 (1) or (2) (a), 940.30, 940.31, 942.095,  
14           943.02, 943.10 (2), 943.231 (1), 943.30, 943.31, or 943.32 (2) may be imprisoned for  
15           not more than 15 years in excess of the maximum term of imprisonment provided  
16           by law for that crime or attempt.

17           **SECTION 14.** 942.095 of the statutes is created to read:

18           **942.095 Sexual extortion. (1)** In this section:

19           (a) “Intimate representation” has the meaning given in s. 942.09 (1) (ag).

20           (b) “Sexual conduct” has the meaning given in s. 944.21 (2) (e).

21           **(2)** Except as provided in sub. (3), whoever does any of the following is guilty  
22           of a Class I felony:

23           (a) Threatens to injure the property or reputation of another person with the

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1 intent to coerce that person to engage in sexual conduct or to produce an intimate  
2 representation of that person.

3 (b) Threatens to commit violence against another person with the intent to  
4 coerce that person to engage in sexual conduct or to produce an intimate  
5 representation of that person.

6 (c) Threatens to distribute an intimate representation of another person with  
7 the intent to coerce that person to engage in sexual conduct, to produce another  
8 intimate representation of that person, to provide the payment of money, property,  
9 services, or any other thing of value to the actor, or to do or refrain from doing any  
10 act against that person's will.

11 (3) Whoever violates sub. (2) is guilty of a Class H felony if any of the following  
12 applies:

13 (a) The victim, as a result of the violation, engages in sexual conduct.

14 (b) The victim, as a result of the violation, produces an intimate  
15 representation.

16 (c) The victim, as a result of the violation, provides the payment of money,  
17 property, services, or any other thing of value to the actor.

18 (d) The victim, as a result of the violation, suffers great bodily harm.

19 (e) If the victim is under the age of 18 years at the time of the violation, the  
20 actor is not more than 48 months older than the victim.

21 (4) Whoever violates sub. (2) is guilty of a Class G felony if any of the following  
22 applies:

23 (a) The actor was previously convicted of a sexually violent offense, as defined  
24 in s. 980.01 (6).

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1 (b) If the victim is under the age of 18 years at the time of the violation, the  
2 actor is more than 48 months older than the victim.

3 (c) The violation was committed during the course of a child abduction in  
4 violation of s. 948.30.

5 **SECTION 15.** 946.82 (4) of the statutes is amended to read:

6 946.82 (4) "Racketeering activity" means any activity specified in 18 USC  
7 1961 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or  
8 commission of any of the felonies specified in: chs. 945 and 961, subch. V of ch. 551,  
9 and ss. 49.49, 134.05, 139.44 (1), (2m), and (8), 180.0129, 181.0129, 185.825, 201.09  
10 (2), 215.12, 221.0625, 221.0636, 221.0637, 221.1004, 553.41 (3) and (4), 553.52 (2),  
11 940.01, 940.19 (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.302 (2),  
12 940.305, 940.31, 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09,  
13 942.095, 943.01 (2), (2d), or (2g), 943.011, 943.012, 943.013, 943.02, 943.03, 943.04,  
14 943.05, 943.06, 943.10, 943.20 (3) (bf) to (e), 943.201, 943.203, 943.23 (2) and (3),  
15 943.231 (1), 943.24 (2), 943.27, 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c),  
16 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c) and (4m),  
17 943.60, 943.70, 943.76, 943.81, 943.82, 943.825, 943.83, 943.84, 943.85, 943.86,  
18 943.87, 943.88, 943.89, 943.90, 944.21 (5) (c) and (e), 944.32, 944.34, 945.03 (1m),  
19 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1),  
20 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 946.79, 947.015, 948.05,  
21 948.051, 948.08, 948.12, 948.125, and 948.30.

22 **SECTION 16.** 949.03 (1s) of the statutes is created to read:

23 949.03 (1s) Suicide or attempted suicide of a victim if the crime was a  
24 substantial causal factor in the victim's suicide or attempted suicide.

**SENATE BILL 222****SECTION 17**

1           **SECTION 17.** 949.03 (2) of the statutes is amended to read:

2           949.03 (2) The commission or the attempt to commit any crime specified in s.  
3       346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,  
4       940.09, 940.10, 940.19, 940.198, 940.20, 940.201, 940.204, 940.21, 940.22 (2),  
5       940.225, 940.23, 940.235, 940.24, 940.25, 940.285, 940.29, 940.30, 940.302 (2),  
6       940.305, 940.31, 940.32, 941.327, 942.09, 942.095, 943.02, 943.03, 943.04, 943.10,  
7       943.20, 943.231 (1), 943.30, 943.31, 943.32, 943.81, 943.86, 943.87, 948.02, 948.025,  
8       948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.075, 948.08, 948.085, 948.09,  
9       948.095, 948.20, 948.21 (1), 948.30, or 948.51.

10          **SECTION 18.** 949.05 (intro.) of the statutes is amended to read:

11          **949.05 Award; to whom payable.** (intro.) In any case in which a person is  
12       injured or killed by an incident specified in s. 949.03 (1m) or (1s), by any act or  
13       omission of any other person that is within the description of crimes under s. 949.03  
14       (2) or by any act or omission of any person that is within the description of the crime  
15       listed and the condition provided under s. 949.03 (4), the department may order the  
16       payment of an award:

17          **SECTION 19.** 949.08 (2) (a) of the statutes is amended to read:

18          949.08 (2) (a) Engaged in conduct which substantially contributed to the  
19       infliction of the victim's injury or death or in which the victim could have  
20       reasonably foreseen could lead to the injury or death. This does not apply to awards  
21       to victims under s. 949.03 (1m) or (1s).

22          **SECTION 20.** 968.26 (1b) (a) 2. a. of the statutes is amended to read:

23          968.26 (1b) (a) 2. a. Section 940.04, 940.11, 940.19 (2), (4), (5), or (6), 940.195  
24       (2), (4), (5), or (6), 940.198 (2) (b) or (c) or (3), 940.20, 940.201, 940.203, 940.204,

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940.205, 940.207, 940.208, 940.22 (2), 940.225 (3), 940.29, 940.302 (2) (c), 940.32, 941.32, 941.38 (2), 942.09 (2), 942.095, 943.10, 943.205, 943.32 (1), 946.43, 946.44, 946.47, 946.48, 948.02 (3), 948.03 (2) (b) or (c), (3), or (4), 948.04, 948.055, 948.095, 948.10 (1) (a), 948.11, 948.13 (2) (a), 948.14, 948.20, 948.23 (1), (2), or (3) (c) 2. or 3., or 948.30 (1).

**SECTION 21.** 971.17 (1m) (b) 1m. a. of the statutes is amended to read:

971.17 (**1m**) (b) 1m. a. Except as provided in subd. 2m., if the defendant under sub. (1) is found not guilty by reason of mental disease or defect for any violation, or for the solicitation, conspiracy, or attempt to commit any violation, of ch. 940, 944, or 948 or s. 942.08 ~~or~~, 942.09, or 942.095, or ss. 943.01 to 943.15, the court may require the defendant to comply with the reporting requirements under s. 301.45 if the court determines that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest of public protection to have the defendant report under s. 301.45.

**SECTION 22.** 971.17 (1m) (b) 1m. b. of the statutes is amended to read:

971.17 (**1m**) (b) 1m. b. If a court under subd. 1m. a. orders a person to comply with the reporting requirements under s. 301.45 in connection with a finding of not guilty by reason of mental disease or defect for a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095 and the person was under the age of 21 when he or she committed the offense, the court may provide that upon termination of the commitment order under sub. (5) or expiration of the order under sub. (6) the person be released from the requirement to comply with the reporting requirements under s. 301.45.

**SECTION 23.** 972.11 (2) (b) (intro.) of the statutes is amended to read:

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1           972.11 (2) (b) (intro.) If the defendant is accused of a crime under s. 940.225,  
2           942.09, 942.095, 948.02, 948.025, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085,  
3           948.09, or 948.095, or under s. 940.302 (2), if the court finds that the crime was  
4           sexually motivated, as defined in s. 980.01 (5), any evidence concerning the  
5           complaining witness's prior sexual conduct or opinions of the witness's prior sexual  
6           conduct and reputation as to prior sexual conduct shall not be admitted into  
7           evidence during the course of the hearing or trial, nor shall any reference to such  
8           conduct be made in the presence of the jury, except the following, subject to s.  
9           971.31 (11):

10           **SECTION 24.** 972.11 (2) (d) 1. (intro.) of the statutes is amended to read:

11           972.11 (2) (d) 1. (intro.) If the defendant is accused of a crime under s.  
12           940.225, 942.09, 942.095, 948.02, 948.025, 948.05, 948.06, 948.085, or 948.095,  
13           evidence of the manner of dress of the complaining witness at the time when the  
14           crime occurred is admissible only if it is relevant to a contested issue at trial and its  
15           probative value substantially outweighs all of the following:

16           **SECTION 25.** 973.048 (1m) (a) of the statutes is amended to read:

17           973.048 (1m) (a) Except as provided in sub. (2m), if a court imposes a  
18           sentence or places a person on probation for any violation, or for the solicitation,  
19           conspiracy, or attempt to commit any violation, under ch. 940, 944, or 948 or s.  
20           942.08 ~~or~~, 942.09, or 942.095, or ss. 943.01 to 943.15, the court may require the  
21           person to comply with the reporting requirements under s. 301.45 if the court  
22           determines that the underlying conduct was sexually motivated, as defined in s.  
23           980.01 (5), and that it would be in the interest of public protection to have the  
24           person report under s. 301.45.

**SENATE BILL 222****SECTION 26**

**SECTION 26.** 973.048 (1m) (b) of the statutes is amended to read:

973.048 **(1m)** (b) If a court under par. (a) orders a person to comply with the reporting requirements under s. 301.45 in connection with a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095 and the person was under the age of 21 when he or she committed the offense, the court may provide that the person be released from the requirement to comply with the reporting requirements under s. 301.45 upon successfully completing the sentence or probation imposed for the offense. A person successfully completes a sentence if he or she is not convicted of a subsequent offense during the term of the sentence. A person successfully completes probation if probation is not revoked and the person satisfies the conditions of probation.

**SECTION 27.** 995.50 (2) (am) 4. of the statutes is amended to read:

995.50 **(2)** (am) 4. Conduct that is prohibited under s. 942.09 or 942.095, regardless of whether there has been a criminal action related to the conduct, and regardless of the outcome of the criminal action, if there has been a criminal action related to the conduct.

**(END)**