



Ohio Revised Code

Section 2905.11 Extortion and sexual extortion.

Effective: April 09, 2025

Legislation: House Bill 531 - 135th General Assembly

(A) As used in this section and section 2905.111 of the Revised Code:

(1) "Elderly person" and "disabled adult" have the same meanings as in section 2913.01 of the Revised Code.

(2) "Information service" and "telecommunications service" have the same meanings as in the "Telecommunications Act of 1996," 47 U.S.C. 153, as amended.

(3) "Interactive computer service" has the same meaning as in the "Telecommunications Act of 1996," 47 U.S.C. 230, as amended.

(4) "Nudity," "sexual activity," and "sexual excitement" have the same meanings as in section 2907.01 of the Revised Code.

(5) "Private images" means images of sexual activity, masturbation, sexual excitement, nudity, bestiality, extreme or bizarre violence, cruelty, or brutality, or human bodily functions of elimination.

(6) "Threat" includes a direct threat and a threat by innuendo.

(B) No person, with purpose to obtain any valuable thing or valuable benefit or to induce another to do an unlawful act, shall do any of the following:

(1) Threaten to commit any felony;

(2) Threaten to commit any offense of violence;

(3) Violate section 2903.21 or 2903.22 of the Revised Code;

(4) Utter or threaten any calumny against any person;

(5) Expose or threaten to expose any matter tending to subject any person to hatred, contempt, or ridicule, or to damage any person's personal or business repute, or to impair any person's credit.

(C) Whoever violates division (B) of this section is guilty of extortion, a felony of the third degree.



(D) No person, with purpose to do any of the following, shall threaten to release, exhibit, or distribute the private images of another:

- (1) Compel or attempt to compel the other person, against the other person's will, to perform any act or refrain from performing any act;
- (2) Induce the other person to commit an offense;
- (3) Obtain additional private images from the other person;
- (4) Obtain anything of value from the other person.

(E) Whoever violates division (D) of this section is guilty of sexual extortion. The penalty for the offense shall be determined as follows:

- (1) Except as otherwise provided in division (E)(2) or (3) of this section, sexual extortion is a felony of the third degree.
- (2) Except as otherwise provided in division (E)(3) of this section, if the offender previously has been convicted of or pleaded guilty to a violation of division (D) of this section or if the offense involves sexual extortion of a person under the age of eighteen, an elderly person, or a disabled adult, sexual extortion is a felony of the second degree.
- (3) If the offender has previously been convicted of or pleaded guilty to two or more violations of division (D) of this section or if the offender has previously been convicted of or pleaded guilty to an offense involving sexual extortion of a person under the age of eighteen, an elderly person, or a disabled adult and the offender knows or has reason to know that the person is under the age of eighteen, an elderly person, or a disabled adult, sexual extortion is a felony of the first degree.

(F) A prosecution for a violation of division (D) of this section does not preclude a prosecution of a violation of division (B) of this section. One or more acts, a series of acts, or a course of behavior that can be prosecuted under division (D) of this section or division (B) of this section may be prosecuted under division (D) of this section, division (B) of this section, or both divisions. However, if an offender is convicted of or pleads guilty to a violation of division (D) of this section and also is convicted of or pleads guilty to a violation of division (B) of this section based on the same conduct involving the same victim that was the basis of the violation of division (D) of this section, the two offenses are allied offenses of similar import under section 2941.25 of the Revised Code.

(G)(1) No person shall assert a cause of action in any court of this state against any provider of an information service, an interactive computer service, or a telecommunications service, or against any agent, employee, or officer of such provider, for any injury, death, or loss to person or property that allegedly arises out of the provider's, officer's, employee's, or agent's



provision of information, facilities, or assistance in accordance with the terms of a court order that is issued in relation to the investigation or prosecution of an alleged violation of division (D) of this section.

(2) A provider of an information service, an interactive computer service, or a telecommunications service, or any agent, employee, or officer of such provider, is immune from any civil or criminal liability for injury, death, or loss to person or property that allegedly arises out of the provider's, officer's, employee's, or agent's provision of information, facilities, or assistance in accordance with the terms of a court order that is issued in relation to the investigation or prosecution of an alleged violation of division (D) of this section.

(H)(1)(a) A person shall not be considered to have violated division (D) of this section solely for providing access or connection to or from an electronic method of remotely transferring information not under that person's control, including having provided capabilities that are incidental to providing access or connection to or from the electronic method of remotely transferring the information and that do not include the creation of the content of the material that is the subject of the access or connection.

(b) Any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control shall not be liable for any action voluntarily taken in good faith to block the receipt or transmission through its service of any information that the person believes is, or will be, sent in violation of division (D) of this section.

(2) Division (H)(1) of this section does not create an affirmative duty for any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of division (D) of this section, except as otherwise provided by law.

(3) Division (H)(1) of this section does not apply to a person who conspires with another person actively involved in the creation or knowing distribution of material in violation of division (D) of this section, or who knowingly advertises the availability of material of that nature.

(4)(a) A provider or user of an interactive computer service shall neither be treated as the publisher nor speaker of any information provided by another information content provider, nor shall such a person be held civilly or criminally liable for the creation or development of information provided by another information content provider.



(b) Nothing in division (H)(4)(a) of this section shall be construed as protecting a person from liability to the extent that the person developed or created any content in violation of division (D) of this section.
