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AB-355 Crimes: extortion. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 355

Introduced by Assembly Member Sanchez

January 30, 2025

An act to amend Section 519 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 355, as introduced, Sanchez. Crimes: extortion.

Existing law defines extortion as the obtaining of property from another, with consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right. Existing law further provides that fear sufficient to constitute extortion may be induced by certain threats, including a threat to accuse the threatened individual, or the individual's relative or family, of a crime.

This bill would provide that a threat to post, distribute, or create AI-generated images or videos of another may also induce fear sufficient to constitute extortion. By expanding the crime of extortion, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 519 of the Penal Code is amended to read:

519. ~~Fear, such as will constitute extortion,~~ *Fear that constitutes extortion* may be induced by a threat of any of the following:

~~±:~~

(a) To do an unlawful injury to the person or property of the individual threatened or of a third person.

~~2.~~

(b) To accuse the individual threatened, ~~or~~ a relative of ~~his~~ *the individual*, or ~~her, or~~ a member of ~~his or her~~ *their* family, of a crime.

~~3.~~

(c) To expose, or to impute to ~~him, her,~~ *the individual threatened, a relative of the individual*, or ~~them~~ *a member of their family, a* deformity, disgrace, or crime.

~~4.~~

(d) To expose a secret affecting ~~him, her,~~ *the individual threatened, a relative of the individual*, or ~~them:~~ *a member of their family.*

~~5.~~

(e) To report ~~his, her,~~ *the individual threatened, a relative of the individual*, or *a member of the individual's family, of* their immigration status or suspected immigration status.

(f) To post, distribute, or create AI-generated images or videos of another.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.