

434.655 Fraudulent use of credit or debit card after reporting it lost, as stolen, or not received.

- (1) A cardholder who fraudulently uses a credit or debit card to obtain money, goods, services, or anything else of value after said cardholder has reported to the issuer said credit or debit card lost, as stolen, or not received is deemed to have used said credit or debit card in order to defraud the issuer; and said cardholder shall be guilty of a Class B misdemeanor unless:
 - (a) The value of all money, goods, services, or other things of value furnished in violation of this section over a six (6) month period is five hundred dollars (\$500) or more but is less than one thousand dollars (\$1,000), in which case it is a Class A misdemeanor;
 - (b) The value of all money, goods, services, or other things of value furnished in violation of this section over a six (6) month period is one thousand dollars (\$1,000) or more but is less than ten thousand dollars (\$10,000), in which case it is a Class D felony;
 - (c) The person has three (3) or more convictions under paragraph (a) of this subsection within the last five (5) years, in which case it is a Class D felony. The five (5) year period shall be measured from the dates on which the offenses occurred for which the judgments of conviction were entered; or
 - (d) The value of all money, goods, services, or other things of value furnished in violation of this section over a six (6) month period is ten thousand dollars (\$10,000) or more, in which case it is a Class C felony.
- (2) A cardholder who, after using a credit or debit card, fraudulently reports to the issuer that such usage or transaction was not made by said cardholder, or that said credit or debit card was lost, stolen, or not received at the time of such usage or transaction, in order to defraud the issuer, the cardholder, or any other person in connection with said usage, shall be guilty of a Class B misdemeanor unless:
 - (a) The value of all money, goods, services, or other things of value furnished in violation of this section over a six (6) month period is five hundred dollars (\$500) or more but is less than one thousand dollars (\$1,000), in which case it is a Class A misdemeanor;
 - (b) The value of all money, goods, services, or other things of value furnished in violation of this section over a six (6) month period is one thousand dollars (\$1,000) or more but is less than ten thousand dollars (\$10,000), in which case it is a Class D felony;
 - (c) The person has three (3) or more convictions under paragraph (a) of this subsection within the last five (5) years, in which case it is a Class D felony. The five (5) year period shall be measured from the dates on which the offenses occurred for which the judgments of conviction were entered; or
 - (d) The value of all money, goods, services, or other things of value furnished in violation of this section over a six (6) month period is ten thousand dollars (\$10,000) or more, in which case it is a Class C felony.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 66, sec. 6, effective June 29, 2021. -- Amended 2009 Ky. Acts ch. 106, sec. 2, effective June 25, 2009. -- Amended 1986 Ky. Acts ch. 377, sec. 1, effective July 15, 1986. -- Created 1978 Ky. Acts ch. 67, sec. 17, effective June 17, 1978.