

**514.030 Theft by unlawful taking or disposition -- Penalties.**

- (1) Except as otherwise provided in KRS 217.181, a person is guilty of theft by unlawful taking or disposition when he unlawfully:
  - (a) Takes or exercises control over movable property of another with intent to deprive him thereof; or
  - (b) Obtains immovable property of another or any interest therein with intent to benefit himself or another not entitled thereto.
- (2) Theft by unlawful taking or disposition is a Class B misdemeanor unless:
  - (a) The property is a firearm (regardless of the value of the firearm), in which case it is a Class D felony;
  - (b) The property is anhydrous ammonia (regardless of the value of the ammonia), in which case it is a Class D felony unless it is proven that the person violated this section with the intent to manufacture methamphetamine in violation of KRS 218A.1432, in which case it is a Class B felony for the first offense and a Class A felony for each subsequent offense;
  - (c) The property is one (1) or more controlled substances valued collectively at less than ten thousand dollars (\$10,000), in which case it is a Class D felony;
  - (d) The value of the property is five hundred dollars (\$500) or more but less than one thousand dollars (\$1,000), in which case it is a Class A misdemeanor;
  - (e) The value of the property is one thousand dollars (\$1,000) or more but less than ten thousand dollars (\$10,000), in which case it is a Class D felony;
  - (f) The person has three (3) or more convictions under paragraph (d) 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;
  - (g) The value of the property is ten thousand dollars (\$10,000) or more but less than one million dollars (\$1,000,000), in which case it is a Class C felony;
  - (h) The value of the property is one million dollars (\$1,000,000) or more but less than ten million dollars (\$10,000,000), in which case it is a Class B felony; or
  - (i) The value of the property is ten million dollars (\$10,000,000) or more, in which case it is a Class B felony.
- (3) Any person convicted under subsection (2)(i) of this section shall not be released on probation or parole until he or she has served at least fifty percent (50%) of the sentence imposed, any statute to the contrary notwithstanding.
- (4) If any person commits two (2) or more separate offenses of theft by unlawful taking or disposition within ninety (90) days, the offenses may be combined and treated as a single offense, and the value of the property in each offense may be aggregated for the purpose of determining the appropriate charge.

**Effective:** June 29, 2021

**History:** Amended 2021 Ky. Acts ch. 66, sec. 8, effective June 29, 2021. -- Amended 2013 Ky. Acts ch. 82, sec. 1, effective June 25, 2013. -- Amended 2009 Ky. Acts ch. 106, sec. 6, effective June 25, 2009. -- Amended 2000 Ky. Acts ch. 233, sec. 8,

effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 301, sec. 9, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 314, sec. 2, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 451, sec. 1, effective July 14, 1992. -- Created 1974 Ky. Acts ch. 406, sec. 119, effective January 1, 1975.