

514.080 Theft by extortion.

- (1) A person is guilty of theft by extortion when he or she intentionally obtains property of another by threatening to:
 - (a) Inflict bodily injury on anyone or commit any other criminal offense; or
 - (b) Accuse anyone of a criminal offense; or
 - (c) Expose any secret tending to subject any person to hatred, contempt, or ridicule, or to impair his or her credit or business repute; or
 - (d) Use wrongfully his or her position as a public officer or servant or employee by performing some act within or related to his or her official duties, either expressed or implied, or by refusing or omitting to perform an official duty, either expressed or implied, in a manner affecting some person adversely; or
 - (e) Bring about or continue a strike, boycott, or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act; or
 - (f) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense.
- (2) It is a defense to prosecution based on subsection (1)(b), (c), or (d) that the property obtained by threat of accusation, exposure, lawsuit, or other invocation of official action was claimed as restitution or indemnification for harm done in the circumstances to which accusation, exposure, lawsuit, or other official action relates, or as compensation for property or lawful services.
- (3) Theft by extortion is a Class B misdemeanor unless:
 - (a) The value of the property obtained is five hundred dollars (\$500) or more but less than one thousand dollars (\$1,000), in which case it is a Class A misdemeanor;
 - (b) 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;
 - (c) A 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 the property is ten thousand dollars (\$10,000) or more, in which case it is a Class C felony.
- (4) If any person commits two (2) or more separate offenses of theft by extortion 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. 13, effective June 29, 2021. -- Amended 2009 Ky. Acts ch. 106, sec. 11, effective June 25, 2009. -- Amended 1992 Ky. Acts ch. 451, sec. 6, effective July 14, 1992. -- Created 1974 Ky. Acts ch. 406, sec. 124, effective January 1, 1975.