

514.090 Theft of labor already rendered.

- (1) A person is guilty of theft of labor already rendered when, in payment of labor already rendered by another, he or she intentionally issues or passes a check or similar sight order for the payment of money, knowing that it will not be honored by the drawee.
- (2) For purposes of subsection (1) of this section, an issuer of a check or similar sight order for the payment of money is presumed to know that the check or order, other than a postdated check or order, would not be paid, if:
 - (a) The issuer had no account with the drawee at the time the check or order was issued; or
 - (b) Payment was refused by the drawee for lack of funds, upon presentation within thirty days (30) after issue, and the issuer failed to make good within ten (10) days after receiving notice of that refusal.
- (3) Theft of labor already rendered is a Class B misdemeanor unless:
 - (a) The value of the labor rendered 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 labor rendered 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 labor rendered 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 of labor already rendered 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. 14, effective June 29, 2021. -- Amended 2009 Ky. Acts ch. 106, sec. 12, effective June 25, 2009. -- Amended 1992 Ky. Acts ch. 451, sec. 7, effective July 14, 1992. -- Created 1974 Ky. Acts ch. 406, sec. 125, effective January 1, 1975.