

**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 or she unlawfully:
  - (a) Takes or exercises control over movable property of another with intent to deprive him or her thereof; or
  - (b) Obtains immovable property of another or any interest therein with intent to benefit himself or herself 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;
  - (i) The value of the property is ten million dollars (\$10,000,000) or more, in which case it is a Class B felony; or
  - (j) The offense occurs during a declared emergency as defined by KRS 39A.020 arising from a natural or man-made disaster, within the area covered by the emergency declaration, and within the area impacted by the disaster, in which case the person shall be charged one (1) level higher than the level otherwise specified in this subsection.
- (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:** July 14, 2022

**History:** Amended 2022 Ky. Acts ch. 151, sec. 12, effective July 14, 2022. -- 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.