

512.020 Criminal mischief in the first degree.

- (1) A person is guilty of criminal mischief in the first degree when, having no right to do so or any reasonable ground to believe that he or she has such right, he or she intentionally or wantonly:
 - (a) Defaces, destroys, or damages any property causing pecuniary loss of five hundred dollars (\$500) or more;
 - (b) Damages, possesses, or tampers with the operations of a key infrastructure asset, as defined in KRS 511.100, in a manner that renders the asset inoperable, in whole or in part, or renders the operation of the asset harmful or dangerous;
 - (c) As a tenant, intentionally or wantonly defaces, destroys, or damages residential rental property causing pecuniary loss of five hundred dollars (\$500) or more; or
 - (d) As a squatter, intentionally or wantonly defaces, destroys, or damages real property causing pecuniary loss of five hundred dollars (\$500) or more.
- (2) Criminal mischief in the first degree is a Class D felony, unless:
 - (a) 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 it is a Class C felony;
 - (b) For the first offense, if the defendant at any time prior to trial effects repair or replacement of the defaced, destroyed, or damaged property, makes complete restitution in the amount of the damage, or performs community service as required by the court, in which case it is a Class B misdemeanor. The court shall determine the number of hours of community service commensurate with the total amount of monetary damage caused by or incidental to the commission of the crime, of not less than sixty (60) hours; or
 - (c) For the second or subsequent offense, if the defendant at any time prior to trial effects repair or replacement of the defaced, destroyed, or damaged property, makes complete restitution in the amount of the damage, or performs community service as required by the court, in which case it is a Class A misdemeanor. The court shall determine the number of hours of community service commensurate with the total amount of monetary damage caused by or incidental to the commission of the crime, of not less than sixty (60) hours.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 42, sec. 2, effective March 19, 2025; and ch. 63, sec. 3, effective June 27, 2025. -- Amended 2024 Ky. Acts ch. 174, sec. 10, effective July 15, 2024. -- Amended 2022 Ky. Acts ch. 151, sec. 9, effective July 14, 2022. -- Amended 2021 Ky. Acts ch. 164, sec. 2, effective June 29, 2021. -- Amended 2020 Ky. Acts ch. 12, sec. 2, effective July 15, 2020. -- Amended 1976 Ky. Acts ch. 183, sec. 3. -- Created 1974 Ky. Acts ch. 406, sec. 106, effective January 1, 1975.

Legislative Research Commission Note (6/27/2025). This statute was amended by 2025 Ky. Acts ch. 42 and 63, which do not appear to be in conflict and have been codified together.