

512.030 Criminal mischief in the second degree.

- (1) A person is guilty of criminal mischief in the second degree when, having no right to do so or any reasonable ground to believe that he or she has such right, he or she:
 - (a) Intentionally or wantonly defaces, destroys, or damages any property causing pecuniary loss of less than five hundred dollars (\$500);
 - (b) As a tenant, intentionally or wantonly defaces, destroys, or damages residential rental property causing pecuniary loss of less than five hundred dollars (\$500); or
 - (c) As a squatter, intentionally or wantonly defaces, destroys, or damages real property causing a pecuniary loss of less than five hundred dollars (\$500).
- (2) Criminal mischief in the second degree is a Class A misdemeanor, 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 D felony; or
 - (b) 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 fifteen (15) hours.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 63, sec. 4, effective June 27, 2025. -- Amended 2024 Ky. Acts ch. 174, sec. 11, effective July 15, 2024. -- Amended 2022 Ky. Acts ch. 151, sec. 10, effective July 14, 2022. -- Amended 2021 Ky. Acts ch. 164, sec. 3, effective June 29, 2021. -- Created 1974 Ky. Acts ch. 406, sec. 107, effective January 1, 1975.