

2023 Kansas Statutes

21-5802. Theft of property lost, mislaid or delivered by mistake. (a) Theft of property lost, mislaid or delivered by mistake is obtaining control of property of another by a person who:

- (1) Knows or learns the identity of the owner thereof;
- (2) fails to take reasonable measures to restore to the owner lost property, mislaid property or property delivered by a mistake; and
- (3) intends to permanently deprive the owner of the possession, use or benefit of the property.

(b) Theft of property lost, mislaid or delivered by mistake of the value of:

- (1) \$100,000 or more is a severity level 5, nonperson felony;
- (2) at least \$25,000 but less than \$100,000 is a severity level 7, nonperson felony;
- (3) at least \$1,000 but less than \$25,000 is a severity level 9, nonperson felony; and
- (4) less than \$1,000 is a class A nonperson misdemeanor.

(c) As used in this section, "property delivered by mistake" includes, but is not limited to, a mistake as to the:

- (1) Nature or amount of the property; or
- (2) identity of the recipient of the property.

History: L. 2010, ch. 136, § 88; L. 2011, ch. 30, § 35; July 1.