

Eligible Class D Felonies Per KRS § 431.073 (1)(a)

KRS 17.175 Centralized database for DNA identification records- Exemption from KRS 61.870 to 61.884- Expungement of information and destruction of DNA sample- Penalty for unlawful use of DNA database identification system.

- 186.990 Penalties. (Theft of motor vehicle plates/decal)
- 194A.505 Prohibited activities- Commencement of proceedings for enforcement. (False statement or misrepresentation to receive benefits under \$100)
- 194B.505 False statement or misrepresentation to receive benefits under \$100- (Repealed)
- 217.181 Theft of a legend drug.
- 217.207 Theft, criminal possession, trafficking, or unlawful possession of a prescription blank. (For a legend drug)
- 217.208 Forgery of a prescription. (For a legend drug, 1st offense)
- 218A.140 Prohibited acts relating to controlled substances- Penalties.
- 218A.1415 Possession of controlled substance in first degree-Penalties.
- 218A.1416 Possession of controlled substance in second degree- Penalties.
- 218A.1417 Possession of controlled substance in third degree- Penalties.
- 218A.1418 Theft of controlled substance- (Repealed in 2013)
- 218A.1423 Marijuana cultivation- Penalties.
- 218A.1439 Trafficking in or transferring a dietary supplement- Exceptions-Penalties.
- 218A.282 Forgery of a prescription. (For a controlled substance, 1st offense)
- 218A.284 Criminal possession of a forged prescription.
- 218A.286 Theft, criminal possession, trafficking, or unlawful possession of a prescription or blank.
- 218A.320 Criminal possession of a medical record- Penalties.
- 218A.322 Theft of a medical record- Penalties.
- 218A.324 Criminal falsification of a medical record- Penalties.
- 218A.500 Possession of Drug Paraphernalia, 2nd or Subsequent Offense

244.165 Unlawful sale and shipment by out-of-state seller directly to a Kentucky consumer- Permissible shipments of wine into Kentucky by out-of-state small farm wineries- Penalty.

286.11-057 Penalties. (False Statement/ Certification in money transmission record)

304.47-025 Felony offense involving dishonesty or breach of trust- Fraudulent insurance act- Penalties.

324.990 Engaging in real estate brokerage without license- Penalties.

365.241 Counterfeiting intellectual property- Penalties- Disposition of property.

434.155 Filing illegal lien.

434.675 Use of scanning device or reencoder to obtain payment card information prohibited.

434.850 Unlawful access to a computer in the second degree.

434.872 Disclosure of information from financial information repository-Penalties.

511.040 Burglary in the third degree.

512.020 Criminal mischief in the first degree.

514.030 Theft by unlawful taking or disposition- Penalties.

514.040 Theft by deception.

514.050 Theft of property lost, mislaid, or delivered by mistake.

514.060 Theft of services.

514.065 Possession, use, or transfer of device for theft of telecommunications services.

514.070 Theft by failure to make required disposition of property.

514.080 Theft by extortion.

514.090 Theft of labor already rendered.

514.100 Unauthorized use of automobile or other propelled vehicle.

514.110 Receiving stolen property.

514.120 Obscuring identity of machine or other property.

514.140 Theft of mail matter.

- 514.150 Possession of stolen mail matter.
- 514.160 Theft of identity.
- 516.030 Forgery in the second degree.
- 516.060 Criminal possession of forged instrument in the second degree.
- 516.090 Possession of forgery device.
- 516.108 Criminal simulation in the first degree.
- 517.120 Operating a sham or front company.
- 518.040 Sports bribery.
- 522.040 Misuse of confidential information.
- 524.100 Tampering with physical evidence.
- 525.113 Institutional vandalism.
- 526.020 Eavesdropping.
- 526.030 Installing eavesdropping device.
- 528.020 Promoting gambling in the first degree.
- 528.040 Conspiracy to promote gambling.
- 528.050 Possession of gambling records in the first degree.
- 530.010 Bigamy- Defense.
- 530.050 Nonsupport and flagrant nonsupport.

NEW LAW

All other Class D Felonies, Not Listed in KRS § 431.073 (1)(a) above and offenses prior to January 1, 1975 with a possible sentence of less than five (5) years.

These Class D felonies may be expungable if they are not sexual based offenses, offenses against a child, or offenses that caused serious bodily injury or death; felony driving under the influence, felony assault in the 4th degree, impersonating a peace officer, or abuse of public office. These Class D felonies are not eligible for expungement.