

## 2012 Kansas Statutes

**21-5830. Impairing a security interest.** (a) Impairing a security interest is, with intent to defraud the secured party:

- (1) Damaging, destroying or concealing any personal property subject to a security interest;
  - (2) selling, exchanging or otherwise disposing of any personal property subject to a security interest without the written consent of the secured party, where such sale, exchange or other disposition is not authorized by the secured party under the terms of the security agreement; or
  - (3) failing to account to the secured party for the proceeds of the sale, exchange or other disposition of any personal property subject to a security interest, where such sale, exchange or other disposition is authorized and such accounting for proceeds is required by the secured party under the terms of the security agreement or otherwise.
- (b) Impairing a security interest, when the personal property subject to the security interest is of the value of:
- (1) \$25,000 or more and is subject to a security interest of \$25,000 or more is a severity level 7, nonperson felony;
  - (2) at least \$1,000 and is subject to a security interest of at least \$1,000 and either the value of the property or the security interest is less than \$25,000 is a severity level 9, nonperson felony; and
  - (3) less than \$1,000, or of the value of \$1,000 or more but subject to a security interest of less than \$1,000 is a class A nonperson misdemeanor.

**History:** L. 2010, ch. 136, § 116; July 1, 2011.