

376.212 Bond to discharge lien created by KRS 376.210 -- Requirements -- Liability of obligors on bond.

- (1) Any contractor or other person contracting with the public authority for the furnishing of any improvements or services for which a lien is created by KRS 376.210 or any person in privity with the contractor or other person may, at any time before a judgment is rendered enforcing the lien, execute before the county clerk in the county in which the lien was filed a bond for double the amount of the lien claimed.
- (2) The bond executed under subsection (1) of this section shall be subject to the following conditions:
 - (a) The bond shall be approved by the clerk only if the bond is secured by:
 1. Cash;
 2. A letter of credit from a bank; or
 3. Surety insurance as defined by KRS 304.5-060 that is issued by a licensed insurer; and
 - (b) The bond shall require that the obligor satisfy any judgment that may be rendered in favor of the person asserting the lien.
- (3) The bond shall be preserved by the clerk, and upon its execution, the lien provided by KRS 376.210 shall be discharged.
- (4) The person asserting the lien may make the obligors on the bond parties to any action to enforce his claim, and any judgment received may be against any of the obligors on the bond.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 96, sec. 2, effective June 8, 2011. -- Created 2000 Ky. Acts ch. 250, sec. 2, effective July 14, 2000.