

425.306 Grounds of attachment for debt or liability upon a contract.

- (1) Before a debt or liability upon a contract becomes due or matures, an equitable action for indemnity may be brought by a creditor against his debtor; by a surety against his principal; or by one who is jointly liable with another for such debt or liability, against the latter:
 - (a) If the defendant be about to depart from this state, and, with intent to defraud his creditors, have concealed or removed from this state his property, or so much thereof that the process of court, after judgment, cannot be executed.
 - (b) If there exist against the defendant any of the grounds for an attachment which are mentioned in paragraphs (c), (d), (e), (f), (g) and (h) of subsection (1) of KRS 425.301.
- (2) Upon an action being filed, if the petition shows the existence of any of the grounds specified in paragraph (b) of subsection (1) of this section the court may order an attachment.

Effective: July 15, 1980

History: Amended 1980 Ky. Acts ch. 188, sec. 295, effective July 15, 1980. -- Created 1976 Ky. Acts ch. 91, sec. 27.