

**453.100 New trial on payment of costs -- Effect of nonpayment.**

The party to whom a new trial is granted upon payment of costs shall, within forty (40) days thereafter, pay the costs of the former trial. If he fails to pay the costs within that time, the court may, upon motion made by the adverse party within ten (10) days after the expiration of the forty (40) day period, set aside the order granting a new trial and enter judgment on the verdict already rendered.

**Effective:** January 2, 1978

**History:** Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 470, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 899.