

453.040 Responsibility for payment.

- (1) Except as provided by subsection (2):
 - (a) The successful party in any action shall recover his costs, unless otherwise provided by law. If the plaintiff succeeds against part of the defendants, and not against others, he shall recover his costs from the former, and the latter shall recover their costs from the plaintiff.
 - (b) Successful defendants who are necessary nominal parties shall not recover their costs, but each party shall be decreed to pay his own costs. Successful defendants who are not necessary parties shall recover their costs.
- (2) In actions between parceners, tenants in common or joint tenants, and in actions for settling the distribution and division of deceased persons' estates, to settle partnerships and to settle or enforce trusts, the court shall exercise a judicial discretion in regard to costs.

Effective: July 15, 1982

History: Amended 1982 Ky. Acts ch. 118, sec. 1, effective July 15, 1982. --
Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky.
Stat. sec. 889.