

**413.090 Action upon judgment, contract, or bond -- Fifteen-year limitation --
Action for child support arrearages -- Time to commence action tolled
until obligations cease as to last child on order.**

Except as provided in KRS 396.205, 413.110, 413.220, 413.230 and 413.240, the following actions shall be commenced within fifteen (15) years after the cause of action first accrued:

- (1) An action upon a judgment or decree of any court of this state or of the United States, or of any state or territory thereof, the period to be computed from the date of the last execution thereon;
- (2) An action upon a recognizance, bond, or written contract, except that actions upon written contracts executed after July 15, 2014, shall be governed by KRS 413.160;
- (3) An action upon the official bond of a sheriff, marshal, clerk, constable, or any other public officer, or any commissioner, receiver, curator, personal representative, guardian, conservator, or trustee appointed by a court or authority of law;
- (4) An action upon an appeal bond or bond given on a supersedeas, attachment, injunction, order of arrest or for the delivery of property or for the forthcoming of property, or to obey or perform an order or judgment of court in an action, or upon a bond for costs, or any other bond taken by a court or judge or by an officer pursuant to the directions of a court or judge, in an action or after judgment or decree, or upon a replevin, sale, or delivery bond taken under execution or decree, upon an indemnifying bond taken under a statute, or upon a bond to suspend a proceeding, or upon a bond or obligation for the payment of money or property or for the performance of any undertaking; and
- (5) An action to recover unpaid child support arrearages, which may be initiated as one (1) cumulative action for all child support arrearages owed under a court order, with the time to commence an action under this subsection being tolled until all current child support obligations cease as to the last child covered by that order.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 142, sec. 2, effective July 15, 2014. -- Amended 2008 Ky. Acts ch. 21, sec. 4, effective July 15, 2008. -- Amended 1988 Ky. Acts ch. 90, sec. 30, effective July 15, 1988. -- Amended 1982 Ky. Acts ch. 141, sec. 130, effective July 1, 1982. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 417, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2514.

Legislative Research Commission Note (2/15/91). The prior reference to KRS 396.025 near the beginning of this statute was the result of an apparent inadvertent transposition of digits in codifying. See 1988 Ky. Acts Ch. 90, 30 and 26. Pursuant to KRS 7.136, the text of this statute has been corrected to reflect the appropriate cross reference to KRS 396.205.

Note: 1980 Ky. Acts ch. 396, sec. 141 would have amended this section effective July 1, 1982. However, 1980 Ky. Acts ch. 396 was repealed by 1982 Ky. Acts ch. 141, sec. 146, also effective July 1, 1982.