

45A.245 Action on contract -- Damages.

- (1) Any person, firm or corporation, having a lawfully authorized written contract with the Commonwealth at the time of or after June 21, 1974, may bring an action against the Commonwealth on the contract, including but not limited to actions either for breach of contracts or for enforcement of contracts or for both. Any such action shall be brought in the Franklin Circuit Court and shall be tried by the court sitting without a jury. All defenses in law or equity, except the defense of governmental immunity, shall be preserved to the Commonwealth.
- (2) If damages awarded on any contract claim under this section exceed the original amount of the contract, such excess shall be limited to an amount which is equal to the amount of the original contract.

Effective: January 1, 1978

History: Repealed and reenacted as KRS 45A.245, 1978 Ky. Acts ch. 110, sec. 49, effective January 1, 1978. -- Amended 1976 Ky. Acts ch. 297, sec. 1. -- Created 1966 Ky. Acts ch. 180, sec. 2 (1st two sentences of 1st paragraph and 2nd paragraph).

Formerly codified as KRS 44.270.