

49.130 Conditions of awards -- Reduction of award.

- (1) An award shall be made only after consideration of the facts surrounding the matter in controversy, and no award shall be made unless the Board of Claims is of the opinion that the damage claimed was caused by such negligence on the part of the Commonwealth or its agents as would entitle claimant to a judgment in an action at law if the state were amenable to such action.
- (2) Furthermore, any damage claim awarded shall be reduced by the amount of payments received or the right to receive payment from workers' compensation insurance, Social Security programs, or other federal, state, or private programs designed to supplement income or pay claimant's expenses or damages incurred.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 185, sec. 24, effective June 29, 2021. -- Repealed, reenacted, renumbered, and amended 2017 Ky. Acts ch. 74, sec. 13, effective June 29, 2017. -- Amended 1960 Ky. Acts ch 25, sec. 6. -- Amended 1950 Ky. Acts ch 50, sec. 5. -- Created 1946 Ky. Acts ch 189, sec 2.

Formerly codified as KRS 44.120.

Formerly codified as KRS 176.340.