

273.162 Notice.

- (1) Notice under this chapter shall be in writing unless oral notice is reasonable under the circumstances. Notice by electronic transmission is written notice.
- (2) Notice may be communicated in person, by mail or other method of delivery, or by telephone, voice mail, or other electronic means. If these forms of personal notice are impracticable, notice may be communicated by a newspaper of general circulation in the area where published, or by radio, television, or other form of public broadcast communication.
- (3) Written notice by a corporation to a member, if in a comprehensible form, shall be effective:
 - (a) Upon deposit in the United States mail, if mailed postpaid and correctly addressed to the member's address shown in the corporation's current record of members; or
 - (b) When electronically transmitted to the member in a manner authorized and in accordance with the member's instructions, if any.
- (4) Written notice to a domestic or foreign corporation authorized to transact business in this Commonwealth may be addressed to its registered agent at its registered office or to the corporation or its secretary at its principal office address of record with the Secretary of State.
- (5) Except as provided in subsections (3) and (4) of this section, written notice, if in a comprehensible form, shall be effective at the earliest of the following:
 - (a) When received;
 - (b) Five (5) days after its deposit in the United States mail, if mailed postpaid and correctly addressed; or
 - (c) On the date shown on the return receipt, if sent by registered or certified mail, return receipt requested, and the receipt is signed by or on behalf of the addressee.
- (6) Oral notice shall be effective when communicated, if communicated in a comprehensible manner.
- (7) If KRS 273.161 to 273.390 prescribe notice requirements for particular circumstances, those requirements shall govern. If articles of incorporation or bylaws prescribe notice requirements not inconsistent with this section or other provisions of KRS 273.161 to 273.390, those requirements shall govern.

Effective: June 24, 2015

History: Created 2015 Ky. Acts ch. 34, sec. 66, effective June 24, 2015.