

135.100 Lien of judgment -- Replevin of execution -- Officer's return -- Interference with sale.

- (1) Judgments in the name of the state or county against sheriffs and other public collectors, their sureties, or their heirs, devisees or personal representatives, or any of them, shall bind the estate, legal or equitable, of all of the defendants to the judgments from the commencement of the action until satisfied. No execution thereon shall be stayed by replevin or sale on credit, but in all such cases the estate taken in execution shall be sold for money, except that the Department of Revenue may, with the consent of the Attorney General, indorse the right to replevy on the execution where the tax is payable to the department, and a like privilege is given to the sheriff, with the consent of the county attorney, when the taxes are payable to the sheriff.
- (2) Any officer who makes a false return on such execution shall be subjected to the payment of the whole amount of the execution and costs, in addition to the penalty provided by subsection (3) of KRS 135.990.
- (3) No person shall attempt, by any fraudulent execution, conveyance, encumbrance or otherwise, to stop or injure the sale of the estate under the execution.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 85, sec. 290, effective June 20, 2005. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4176, 4177, 4180.