

62.100 Notice of proceeding.

- (1) The surety shall give written notice to the principal requiring him, by a day named in the notice, to appear before the court in which the motion is filed.
- (2) If the principal is within the state, the notice shall be not less than ten (10) days, otherwise there shall be thirty (30) days' notice to his attorney if he has one in the county where the bond is executed, and if none, there shall be thirty (30) days' notice published pursuant to KRS Chapter 424.
- (3) The notice shall apprise the party of the object of the motion, whether for a new bond with other surety to effect a discharge from future liability, or as indemnity for the past acts of the principal, or for both. If indemnity for liability incurred is one of the objects, notice in like manner shall be given to each of the other sureties in the bond who have not joined in the motion.

History through 1968: Amended 1968 Ky. Acts ch. 152, sec. 27. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4659, 4660, 4661.