

70.110 Execution of process after leaving office -- Rights of sureties.

- (1) When a sheriff dies or otherwise vacates his office, his deputies shall complete the execution of any process in his or their hands. The sureties on the bond of the sheriff may require indemnity from the deputies in the manner prescribed for sureties in official or other bonds in KRS 62.090 to 62.120. If the deputies fail to give the indemnity which the court requires, their powers to act as deputy shall be revoked by the court.
- (2) When the term of a sheriff expires, he shall complete the execution of any process in his hands, and any act or omission in this respect shall be covered by his official bond.
- (3) When a sheriff resigns, dies or vacates his office, the plaintiff in any process or execution, upon paying to the sheriff or his deputy the fees and lawful charges for services rendered up to the time of withdrawal, may withdraw such process or execution from the hands of the sheriff or his deputy, and place the same, at his election, in the hands of any other proper officer, who shall proceed to the execution thereof in the same manner that the sheriff or his deputy was required to do by law, and under the same penalties.

History: Amended 1966 Ky. Acts ch. 255, sec. 86. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4575.