

405.060 Sale or conveyance in fraud of wife or child -- Transfer of income or property to avoid payment to child support creditor.

- (1) Any sale or conveyance made to a purchaser with notice or for the benefit of any religious society, if made in fraud or hindrance of the right of wife or child to maintenance, shall be void as against the wife or child.
- (2) In any case where an obligor transfers income or property to avoid payment to a child support creditor, the transfer shall be indicia of fraud. Indicia of fraud creates a prima facie case that the transfer of income or property was to avoid payment of child support. Indicia of fraud shall be set forth by administrative regulation.
- (3) In any case in which the cabinet knows of a transfer by a child support obligor with respect to which a prima facie case is established, the cabinet shall:
 - (a) Seek to void the transfer; or
 - (b) Obtain a settlement in the best interests of the child support creditor.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 255, sec. 23, effective July 15, 1998. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2126.