

1 AN ACT relating to notice of forcible entry or detainer.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 383.210 is amended to read as follows:

4 (1) Upon complaint by a person aggrieved by a forcible entry or detainer to the District
5 Court of the county in which the land or tenement, or a principal part thereof, lies, a
6 warrant shall issue to the sheriff or any constable, in substance as follows: "The
7 Commonwealth of Kentucky to the sheriff (or any constable) of county:
8 Whereas, A B hath made complaint that C D and E F did, on the day of,
9 forcibly enter into (or forcibly detain from the said A B) one (1) house and field on
10 the waters of, in the county aforesaid (or other general description of the lands or
11 tenements), which were in the peaceable possession of A B (or which the said C D
12 and E F, tenants of the said A B, now hold against him): You are, therefore,
13 commanded to summon a good and lawful jury of your county to meet on the
14 premises, or at a place convenient thereto, on the day of, to inquire into the
15 forcible entry (or forcible detainer) aforesaid; and give to the said C D and E F ~~at~~
16 ~~least three (3) days'~~ notice of the time and place of the meeting of the jury; and
17 have then there this writ. Witness, etc."

18 (2) In the trial of writs of forcible entry, forcible detainer or forcible entry and detainer,
19 if neither party, in person or by agent or attorney, demand a jury, the trial thereof
20 shall be by the court. No such writ shall hereafter direct the summoning of a jury,
21 and the sheriff or other officer to whose hands such writ may come to do execution
22 thereof shall not summon a jury in such proceedings, unless he ***or she*** be by either
23 party notified in writing that a jury is demanded. At the calling of the cause for trial
24 either party may demand a jury.

25 **(3) (a) The notice required for subsection (1) of this section shall be three (3) days.**

26 **(b) A city, county, urban-county government, charter county government,**
27 **consolidated local government, or unified local government may establish,**

1 by ordinance, an alternative minimum time limit of notice for the warrant
2 to be served prior to the summoning of a jury or trial by court that exceeds
3 three (3) days. The clerk of the local government passing the ordinance
4 shall send a copy each to the sheriff of the county of jurisdiction, the court
5 of jurisdiction, and to the Administrative Office of the Courts.

6 ➔Section 2. KRS 383.215 is amended to read as follows:

7 The officer shall give to each defendant notice, according to the directions of the warrant,
8 and no inquiry shall be made against any defendant who has not been notified as
9 aforesaid. If, however, the notice have been given to a defendant, but not three (3) days,
10 or an alternative minimum time limit of notice as set out in subsection (3) of Section 1
11 of this Act, before the day of the meeting of the jury, the inquest shall, on his or her
12 motion, be adjourned until the expiration of either the three (3) days, or the alternative
13 minimum time limit of notice as set out in subsection (3) of Section 1 of this Act.