

1 AN ACT relating to causes of action.

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

3 ➔Section 1. KRS 411.170 is amended to read as follows:

4 An ordinary or equitable action may be brought upon a bill of exchange, ~~for~~a note, or  
5 other obligation, or upon an indorsement or assignment~~thereof~~, ~~which~~, or upon a  
6 judgment the record of which, is lost, destroyed, mutilated, or defaced, without fraud on  
7 the part of the plaintiff, or of those under whom he ***or she*** claims. But no action shall be  
8 brought upon an instrument transferable by delivery~~merely~~, which is alleged to be lost,  
9 destroyed, mutilated, or defaced, without a previous tender by the plaintiff to the  
10 defendant, if his ***or her*** name and place of residence ~~is~~~~be~~ known to the plaintiff, of an  
11 indemnifying bond, with good surety, nor shall judgment be given against the defendant,  
12 in such action, until such bond is given, with good surety approved by the court.