

1 AN ACT relating to actions for forcible entry and detainer.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 383 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) On or after the effective date of this Act, in a case for forcible entry or detainer:*

6 *(a) If the case is dismissed, the court shall order the record expunged upon the*  
7 *expiration of one hundred eighty (180) days and the payment of any unpaid*  
8 *rent not waived by the landlord. The order expunging the records shall not*  
9 *require any action by the person; or*

10 *(b) If a forcible detainer judgement is entered, the court shall order the record*  
11 *expunged upon the expiration of three (3) years and the payment of any*  
12 *unpaid rent not waived by the landlord.*

13 *(2) After the expungement, the proceedings in the matter shall be deemed never to*  
14 *have occurred. The court and other agencies shall delete or remove the records*  
15 *from their computer systems so that any official state-performed background*  
16 *check will indicate that the records do not exist. The court and other agencies*  
17 *shall reply to any inquiry that no record exists on the matter. The person whose*  
18 *record is expunged shall not have to disclose the fact of the record or any matter*  
19 *relating thereto on an application for employment, credit, or other type of*  
20 *application.*

21 *(3) A person named in an order for forcible entry or detainer as an unemancipated*  
22 *minor, that person's parent or guardian, or any other defendant named in the*  
23 *order may, at any time, petition the court to expunge the name of the minor from*  
24 *the order. If the court finds that the person was an unemancipated minor at the*  
25 *time the order was entered, the court shall expunge the name of the minor. The*  
26 *Administrative Office of the Courts shall establish a form for a petition pursuant*  
27 *to this subsection.*