

CHAPTER 39**(HB 23)**

AN ACT relating to judicial sales.

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

➔Section 1. KRS 426.200 is amended to read as follows:

- (1) Land shall be sold under execution to the highest bidder at the courthouse door of the county in which it lies. Only so much land shall be sold as will satisfy the execution under which the sale is made.
- (2) The officer making the sale shall first advertise the time and place of sale by written notice describing the land to be sold, posted at the courthouse door and three other places in the vicinity of the land for fifteen days next preceding the sale, or by newspaper notice if required by KRS 426.560.
- (3) Before a sale of land, the officer shall have the land appraised, under oath, by two disinterested, intelligent housekeepers of the county, who may be sworn by him. If the appraisers disagree, the officer shall act as umpire. If a part of a tract only is sold, the part sold shall, after the sale, be revalued in like manner. The appraisal shall be in writing, signed by the persons making it, *subject to inspection by the public prior to the sale*, and returned with the execution. The officer shall refer to and explain the proceeding in his return on the execution, which return shall be recorded in full.

➔Section 2. KRS 426.520 is amended to read as follows:

- (1) Before any real property is to be sold under an order or judgment of a court, other than an execution, the commissioner or other officer selling the property shall have it appraised, under oath, by two (2) disinterested, intelligent housekeepers of the county, who may be sworn by the officer. If they disagree, the officer shall act as umpire. If only a part of a tract of land is sold, the part sold shall, after the sale, be revalued in like manner.
- (2) The appraisal made shall be in writing, signed by the persons making it, and returned by the commissioner or officer to the court which made the order or rendered the judgment for the sale of the property. *Prior to the sale*, the appraisal shall be filed among the papers of the cause in which the judgment was rendered or the order made, and entered on the records of the court.

Signed by Governor April 11, 2012.