

362.325 Effect of dissolution on partner's existing liability.

- (1) The dissolution of the partnership shall not of itself discharge the existing liability of any partner.
- (2) A partner shall be discharged from any existing liability upon dissolution of the partnership by an agreement to that effect between himself, the partnership creditor, and the person or partnership continuing the business; and the agreement may be inferred from the course of dealing between the creditor having knowledge of the dissolution and the person or partnership continuing the business.
- (3) If a person agrees to assume the existing obligations of a dissolved partnership, the partners whose obligations have been assumed shall be discharged from any liability to any creditor of the partnership who, knowing of the agreement, consents to a material alteration in the nature or time of payment of the obligations.
- (4) The individual property of a deceased partner shall be liable for obligations of the partnership incurred while he was a partner and for which he was liable under KRS 362.220 but subject to the prior payment of his separate debts.

Effective: June 26, 2007

History: Repeal the prior repeal contained in 2006 Ky. Acts ch. 149, sec. 239, which was to have been effective January 1, 2008, 2007 Ky. Acts ch. 137, sec. 180, effective June 26, 2007. -- Repealed 2006 Ky. Acts ch. 149, sec. 239, effective January 1, 2008. -- Amended 1994 Ky. Acts ch. 389, sec. 100, effective July 15, 1994. -- Created 1954 Ky. Acts ch. 38, sec. 36, effective June 17, 1954.