

395.270 When action against representative may be commenced.

Two (2) months must run after the date of the qualification of the first personal representative of a decedent's estate before an action shall be commenced against any executor or administrator thereof, except against an executor de son tort. Any action brought in violation of this section shall be dismissed with costs, except that an alleged creditor whose claim has been denied in writing by the fiduciary may commence action immediately after receipt of such denial.

Effective: July 15, 1988

History: Amended 1988 Ky. Acts ch. 90, sec. 5, effective July 15, 1988. -- Amended 1970 Ky. Acts ch. 257, sec. 2. -- Amended 1942 Ky. Acts ch. 167, sec. 15. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 3847.