

**393A.690 Judicial remedy.**

- (1) Not later than ninety (90) days after receiving notice of the administrator's determination under KRS 393A.650, the putative holder may:
  - (a) File an action against the administrator in the appropriate court challenging the administrator's determination of liability and seeking a declaration that the determination is unenforceable, in whole or in part; or
  - (b) Pay the amount or deliver the property determined by the administrator to be paid or delivered to the administrator and, not later than six (6) months after payment or delivery, file an action against the administrator in the appropriate court for a refund of all or part of the amount paid or return of all or part of the property delivered.
- (2) If a putative holder pays or delivers property the administrator determined shall be paid or delivered to the administrator at any time after the putative holder files an action under subsection (1)(a) of this section, the court shall continue the action as if it had been filed originally as an action for a refund or return of property under subsection (1)(b) of this section.

**Effective:** July 14, 2018

**History:** Created 2018 Ky. Acts ch. 163, sec. 69, effective July 14, 2018.