

355.2-202 Final expression -- Parol or extrinsic evidence. (Effective January 1, 2025)

Terms with respect to which the confirmatory memoranda of the parties agree or which are otherwise set forth in a record intended by the parties as a final expression of their agreement with respect to such terms as are included therein may not be contradicted by evidence of any prior agreement or of a contemporaneous oral agreement but may be explained or supplemented:

- (1) By course of performance, course of dealing, or usage of trade (KRS 355.1-303); and
- (2) By evidence of consistent additional terms unless the court finds the record to have been intended also as a complete and exclusive statement of the terms of the agreement.

Effective: January 1, 2025

History: Amended 2024 Ky. Acts ch. 10, sec. 8, effective January 1, 2025. -- Amended 2006 Ky. Acts ch. 242, sec. 26, effective July 12, 2006. -- Created 1958 Ky. Acts ch. 77, sec. 2-202, effective July 1, 1960.

Legislative Research Commission Note (7/12/2006). Under the authority of KRS 7.136(1), the Reviser of Statutes has changed the internal numbering system in this statute by inserting subsection numbers [(1) and (2)] in place of paragraph designations [(a) and (b)]. The words in the text were not changed.