

1 AN ACT relating to evictions during extreme weather conditions.

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

3 ➔SECTION 1. A NEW SECTION OF KRS 383.200 TO 383.285 IS CREATED
4 TO READ AS FOLLOWS:

5 **(1) As used in this section, "extreme weather conditions" means a:**

6 **(a) Day for which the National Weather Service has issued either an Extreme**
7 **Cold Warning or Excessive Heat Warning for the county in which the court**
8 **is located; or**

9 **(b) Period of natural disaster in the county in which the court is located. As**
10 **used in this paragraph, "natural disaster" means any natural disaster**
11 **resulting in the declaration of a state of emergency under KRS 39A.100 or**
12 **39B.070.**

13 **(2) The court shall stay the execution of a warrant of restitution of a residential**
14 **property, from day to day, during extreme weather conditions.**

15 **(3) When a stay has been granted under subsection (2) of this section, the execution**
16 **of the warrant of restitution for which the stay has been granted shall be given**
17 **priority and completed within three (3) days after the extreme weather conditions**
18 **cease.**

19 ➔Section 2. KRS 383.245 is amended to read as follows:

20 If the party against whom the inquisition is found fails to file an appeal of the inquisition
21 with the court, on or before the seventh day after the finding of the inquest, the court
22 shall, on request, issue execution for the costs; and, if the inquisition be in favor of the
23 plaintiff, it shall also, **subject to Section 1 of this Act,** issue a warrant of restitution in
24 substance as follows: "... County. To the sheriff (or any constable) of county,
25 Whereas, C D and E F have been found guilty of a forcible entry in (or detainer of) one
26 house and field, lying on the waters of, in the county aforesaid (or other general
27 description of the possessions), to the injury of A B: You are, therefore, in the name of

1 the Commonwealth of Kentucky, commanded that, with the power of the county if
2 necessary, you put the said A B in the possession of said premises; and make return
3 within days, how you have executed this warrant. Given under my hand this day of
4

5District Judge"