

376.220 Limit of amount of lien -- Pro rata distribution -- Liability for filing claim in excess of amount due.

- (1) The liens provided for in KRS 376.210 shall not be for a greater amount in the aggregate than the contract price of the original contractor, and should the aggregate amount of liens exceed the price agreed upon between the original contractor and the owner there shall be a pro rata distribution of the original contract price among the lien-holders.
- (2) On claims for labor, materials or supplies furnished for the improvement of any bridge, public highway or other public property owned by the state or by any county or city, the provisions of this section for a pro rata distribution of the original contract price among lien-holders shall not apply to liens on the unpaid balance due the contractors, except as provided in KRS 376.240.
- (3) If any person files a statement asserting a lien against any contractor on any fund due the contractor, for an amount in excess of the amount actually due, the person filing the lien shall be liable to any person damaged thereby to the extent of such damage, including reasonable court costs and attorney's fees incurred by the injured parties. Any such claim for damages may be asserted and prosecuted in the county in which the lien statement was filed.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2493, 2495-4.