

378.080 Property to be surrendered to receiver -- Disclosure -- Writ of ne exeat may be granted.

- (1) The court may at any time pending the action provided for in KRS 378.070, and upon the terms it deems proper compel the transferee to surrender to a receiver of the court all the property in his possession or under his control, and it may make such orders respecting the property as it may make concerning attached property. If it is decided that the debtor's act operates as an assignment for the benefit of his creditors as provided in KRS 378.060, the court shall compel the debtor to surrender to the receiver all property in his possession or under his control, except the property exempt from execution, and to disclose the amount of his debts, the name and residence of each of his creditors, all offsets or defenses to any claim against him or any other matter which is deemed proper. The court shall also compel every person, except the assignee for the benefit of creditors of the debtor, who has, after the institution of the action provided for in KRS 378.070, acquired any property from the debtor, to surrender that property to the receiver.
- (2) The court may grant against the debtor, in addition to the order of arrest, a writ of ne exeat, when it appears by affidavit that the writ is necessary to secure the surrender or disclosures provided for in this section.

Effective: January 2, 1978

History: Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 290, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 1913, 1915.