

2021 Regular Session

HOUSE BILL NO. 348

BY REPRESENTATIVE DUBUISSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PROPERTY/IMMOVABLE: Provides relative to the procedures for sheriff's sales of property

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 2334(A), relative to advertisement
3 of sheriff's sales; to provide relative to the description of property; to provide relative
4 to reasonable notice to the public; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 2334(A) is hereby amended and
7 reenacted to read as follows:

8 Art. 2334. Reading of advertisement and certificates

9 A. At the time and place designated for the sale, the sheriff shall read aloud
10 all or part of the advertisement describing the property in such sufficiency as to
11 reasonably provide notice to the public of the property then being offered for sale,
12 which at a minimum shall include the lot and subdivision or municipal number or by
13 section, township, and range, including some identifying mark, if appropriate, and
14 a reference to the conveyance or mortgage recordation. The sheriff shall also read
15 aloud a mortgage certificate and any other certificate required by law or otherwise
16 provide, at least twenty-four hours prior to the sale, a copy of such certificates to the
17 public by means of public posting, written copies, electronic means, or by any other
18 method.

19 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 348 Reengrossed

2021 Regular Session

DuBuisson

Abstract: Provides for the reading of the advertisement describing the property designated for sheriff's sale.

Present law provides for the reading of advertisement and certificate of property being sold at sheriff's sales.

Present law provides that a sheriff read aloud the advertisement describing the property at a sheriff's sale.

Proposed law retains present law but provides that the sheriff shall read part of the advertisement in such sufficiency as to reasonably provide notice to the public of the property being offered for sale. Proposed law provides that the advertisement describing the property for sale shall include the lot and subdivision or municipal number or by section, township, and range, including some identifying mark, if appropriate, and a reference to the conveyance or mortgage recordation.

(Amends C.C.P. Art. 2334(A))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provide minimum requirements for property descriptions.