

SENATE FLOOR AMENDMENTS

2025 Regular Session

Amendments proposed by Senator Morris to Engrossed House Bill No. 178 by Representative Mike Johnson

1 AMENDMENT NO. 1

2 On page 1, line 5, after "2595," insert "3721,"

3 AMENDMENT NO. 2

4 On page 1, line 20, after "proceedings;" insert "relative to methods of enforcing mortgages;  
5 to provide relative to civil actions; to provide with respect to provisions of the judgment; to  
6 provide relative to specific amounts, costs, expenses, and fees; to provide relative to terms,  
7 conditions, procedures, and requirements; to provide relative to judicial process, collection  
8 proceedings, and sales under fieri facias;"

9 AMENDMENT NO. 3

10 On page 3, line 3, after "2595," insert "3721,"

11 AMENDMENT NO. 4

12 On page 15, between lines 8 and 9 insert the following:

13 **Art. 3721. Methods of enforcing mortgage**

14 **A. A conventional mortgage is enforced by ordinary or executory**  
15 **proceedings.**

16 **B. In any ordinary or executory proceeding to enforce a promissory note**  
17 **or other debt instrument combined with a mortgage or other security device,**  
18 **the judgment or order of executory process granted may include any amounts**  
19 **which accrue after the rendition of the judgment or order, including until the**  
20 **collateral is sold by judicial process pursuant to the provisions of the**  
21 **promissory note, debt interest, or security device, including, without limitation,**  
22 **obligations to reimburse advances for taxes and insurance, inspection or other**  
23 **fees provided for by contract, reasonable attorney fees, and court costs. The**  
24 **provisions of this Article shall be enforceable notwithstanding any other**  
25 **provision of law requiring that a judgment or order specify a definite amount.**

26 **C. Prior to the date of the sheriff's sale, the seizing creditor or his counsel**  
27 **shall file into the record the payoff amount of the obligation being enforced,**  
28 **including any amounts which have accrued after the filing of the petition, or**  
29 **rendition of the judgment or order in the case of ordinary process.**

30 **D. Any party with an interest in the property seized, including but not**  
31 **limited to mortgage and lien holders, may file a rule to show cause to traverse**  
32 **the payoff amount filed in accordance with Subsection C of this Article. The**  
33 **rule to show cause shall be filed before the sheriff disburses any funds from the**  
34 **judicial sale pursuant to the writ being executed.**

35 **E. A sheriff's or other sale held pursuant to court order shall be valid**  
36 **notwithstanding failure of an interested party to comply with the provisions of**  
37 **this Article.**

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