

- (2) A person acquiring tax sale title to a tax sale property at a tax sale conducted after January 1, 2009 but before the effective date of this Act; or
- (3) A person acquiring the delinquent obligation at a tax auction after the effective date of this Act.

Present law defines the terms "adjudicated property", "duly notified", "governmental lien", "redemptive nullity" and "redemptive period".

Proposed law repeals these definitions from present law and replaces them and defines the terms "certificate holder", "delinquency obligation", "tax auction", and "tax lien certificate", providing definitions for the proposed process for delinquent obligations.

Present law provides that delinquent ad valorem property taxes bear interest at a rate of 1% per month.

Proposed law clarifies that the 1% interest per month is on a non-compounding basis and allows for the imposition of a 5% penalty if statutory impositions remain unpaid after 90 days. Further provides that delinquent obligations are secured by a lien and privilege on the property on which the delinquent obligation is owed and that lien or privilege has priority over all mortgages, liens, privileges, and security interests, other than tax lien certificates encumbering the property.

Present law requires the tax collector to send written notice to each tax notice party when the tax debtor has not paid all the statutory impositions that have been assessed on immovable property. The notice informs recipients that if the statutory impositions are not paid within 20 days of sending of the notice, the tax sale title to the property will be sold.

Proposed law retains present law requiring notice to each tax notice party. Requires the tax collector to advertise for sale by public auction the delinquent obligation and the lien and privilege securing it if the statutory impositions aren't paid within 20 days of sending the notice. Further requires the tax collector to issue the lien and privilege in favor of the winning bidder and record in the mortgage records a tax lien certificate.

Present law requires the tax collector to seize, advertise, and sell tax sale title to property upon which delinquent taxes are due.

Proposed law repeals present law and requires the tax collector to advertise for sale by public auction the delinquent obligation for statutory impositions and the lien and privilege securing it.

Present law requires a tax sale bid be at least equal to the taxes, interest, and other costs in order to be accepted.

Proposed law repeals present law and allows local government to set a minimum bid for a tax lien certificate and allows the tax lien certificate to be assigned by the certificate holder to any person not prohibited from purchasing delinquent obligations. Further, the assignment of a certificate issued to

a political subdivision for less than the full amount of the delinquent obligation is not considered a donation of public property and requires that each assignment of a tax lien certificate be filed with the recorder of mortgages.

Present law provides that all redemptive periods provided in the Constitution are preemptive.

Proposed law repeals present law and provides for redemptions made prior to January 1, 2025.

Present law provides for the redemption and redemption payments of a tax sale.

Proposed law repeals present law and allows for the termination and termination payments for a tax lien certificate and provides for procedures.

Present law provides for the quieting of tax titles.

Proposed law repeals present law.

Proposed law provides the procedure for the recognition of amounts due under a tax lien certificate, including filing of a verified petition seeking recognition of the amounts due to the certificate holder and the lien and privilege, providing of a statement certifying the amount of the termination price as of the date in the statement, and the rendering of a judgment in the action.

Proposed law provides for the procedures to enforce liens and privileges of a tax lien certificate, including enforced by a writ of fieri facias directing the seizure and sale of the property described in the judgment.

Proposed law requires that the delinquent obligation and the lien and privilege evidenced by the tax lien certificate prescribe five years from the recordation date of the tax lien certificate in the mortgage records of the parish in which the property is located.

Present law provides for monition proceedings, including the contents of the petition, granting of monition request, notice and publication requirements of the petition, and the judgment and costs of the proceeding.

Proposed law repeals present law.

Effective if and when the proposed amendment of Article VII of the Constitution of La. contained in the Act which originated as Senate Bill No. ___ of this 2024 R.S. of the Legislature is adopted at a statewide election and becomes effective.

(Amends R.S. 47:1993, 2058, 2121, 2122, 2124, 2126, 2127, 2130- 2137, 2151-2156, 2158, 2158.1, 2159, 2160-2163, 2201, 2202(A), 2203, 2204, 2211, and 2241- 2247; adds R.S. 47:1997(D), 2164, 2206(D), 2207.1, 2266.1, 2267, 2268, 2269, and 2270; repeals R.S. 47:2123, 2128, 2157, 2196, 2197, 2266, 2271-2280)