

2018 Regular Session

SENATE BILL NO. 438

BY SENATOR CHABERT

FORESTRY. Provides for the sale of timber by the state land office. (8/1/18)

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AN ACT

To amend and reenact R.S. 41:1004, relative to the sale of timber on state lands; to make technical changes; to provide for the sale of timber by the state land office; to prohibit accepting bids less than the minimum price established by the Department of Agriculture and Forestry; to provide terms, conditions, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 41:1004 is hereby amended and reenacted to read as follows:

§1004. Place; time; minimum price; proces-verbal

A. The timber so advertised shall be sold to the highest bidder by the sheriff of the parish wherein the timber is located, at the time and place mentioned in the advertisement for the consideration of bids. All bids shall be submitted sealed and opened publicly by the sheriff. No bid shall be accepted by the sheriff after the time designated as the time for opening such bids. No bid shall be considered unless accompanied by a cashier's check, certified check, or bank money order in the exact amount of the bid submitted and made payable to the sheriff of the parish in which the sale is conducted. No bid shall be accepted if less than the minimum price

1 established by the ~~Office~~ **Department** of **Agriculture and** Forestry. The sheriff
2 conducting the sale shall deliver a proces-verbal of the sale to the successful bidder.

3 **B. Notwithstanding any other provision of law, when the register of the**
4 **state land office determines that the disposition of timber by the sheriff is not**
5 **in the best interest of the state, the register of the state land office may conduct**
6 **a sale by utilizing sealed bids. No bid shall be accepted if less than the minimum**
7 **price established by the Department of Agriculture and Forestry.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alan Miller.

DIGEST

SB 438 Engrossed

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Present law provides for the procedure in which a sheriff conducts timber sale by sealed bids and prohibits the sale if the highest bid is less than the minimum price established by the Office of Forestry.

Proposed law changes Office of Forestry to Dept. of Agriculture and Forestry.

Proposed law retains present law but prohibits the sale by the sheriff when the register of the state land office determines that a sale by the sheriff is not in the best interest of the state, and authorizes the register of the state land office to conduct a sale by utilizing sealed bids, with no bid being accepted if less than the minimum price established by the Dept. of Agriculture and Forestry.

Effective August 1, 2018.

(Amends R.S. 41:1004)