
DIGEST

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HB 264 Original

2021 Regular Session

Seabaugh

Abstract: Provides for time requirements and publication requirements for sheriff sales.

Present law (C.C.P. Art. 2331) provides for the publication of notice of the sale of property under a writ of fieri facias shall be published twice for immovable property.

Proposed law (C.C.P. Art. 2331) retains present law but provides that if a judicial sale of immovable property is rescheduled, the notice of sale of property shall be published once.

Present law (R.S. 43:201) provides for judicial advertisements and legal notices for parishes outside of Orleans Parish.

Present law (R.S. 43:201(A)) provides that if there is no newspaper published in the parish, all advertisements shall be made by posting them near the front door of the courthouse and at two other public places in different parts of the parish.

Proposed law (R.S. 43:201(A)) retains present law but provides that the notice may be posted on the sheriff's website or a website provided by the parish government.

Present law (R.S. 43:203) provides for the publication of notices of judicial sale.

Present law (R.S. 43:203(2)) provides that the first newspaper advertisement of the notice of judicial sale shall be published at least 30 days before the date of the judicial sale.

Proposed law (R.S. 43:203(2)) changes present law advertisement requirement from 30 days to at least 14 days before the date of the judicial sale.

(Amends C.C.P. Art. 2331 and R.S. 43:201(A) and 203(2))