

2021 Regular Session

HOUSE BILL NO. 264

BY REPRESENTATIVE SEABAUGH

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

SALES: Provides for advertisement of judicial sales

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 2331, relative to judicial sales; to

3 provide for writs of fieri facias, to provide for advertisement and legal notices; to

4 provide for rescheduled sales; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 2331 is hereby amended and reenacted

7 to read as follows:

8 Art. 2331. Publication of notice of sale

9 A. Notice of the sale of property under a writ of fieri facias shall be

10 published at least once for movable property, and at least twice for immovable

11 property, in the manner provided by law. The court may order additional

12 publications.

13 B. Notwithstanding the requirements of Paragraph A of this Section, if a

14 judicial sale of immovable property is cancelled or postponed and rescheduled for

15 a later date, notice of sale of property under a writ of fieri facias shall be published

16 once in the manner provided by law.

17 C. The sheriff shall not order the advertisement of the sale of the property

18 seized until three days, exclusive of holidays, have elapsed after service on the

19 judgment debtor of the notice of seizure, as provided in Article 2293.

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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)]

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HB 264 Reengrossed

2021 Regular Session

Seabaugh

**Abstract:** Provides for 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.

(Amends C.C.P. Art. 2331)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Remove references and changes to R.S. 43:201(A), which provides for judicial advertisements and legal notices for parishes outside of Orleans Parish.

The House Floor Amendments to the engrossed bill:

1. Remove provisions amending R.S. 43:201(A), relative to the publication of notices of judicial sales.