

2016 Regular Session

HOUSE BILL NO. 287

BY REPRESENTATIVE GAROFALO

CIVIL/PROCEDURE: Provides with respect to judicial sales of property

1 AN ACT

2 To enact Code of Civil Procedure Article 2344, relative to judicial sales; to provide for
3 procedures to prevent sales of property; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Code of Civil Procedure Article 2344 is hereby enacted to read as
6 follows:

7 Art. 2344. Written instruction prior to adjudication

8 The sale of the property may be prevented at any time prior to adjudication
9 upon written instruction by the seizing creditor.

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)]

HB 287 Original

2016 Regular Session

Garofalo

Abstract: Authorizes seizing creditors to stop a sheriff's sale by written instruction.

Present law allows a property sale to be prevented prior to adjudication if payment is made to the sheriff of the judgment, with interest and costs.

Proposed law retains present law and also prevents the sale of property prior to adjudication if the sheriff receives written instruction from the seizing creditor.

(Adds C.C.P. Art. 2344)