

SENATE BILL NO. 189

BY SENATOR MURRAY

1 AN ACT

2 To amend and reenact R.S. 13:4405 and R.S. 35:199(A)(2)(b), relative to notarial  
3 instruments; to remove requirements that acts of sale or other acts evidencing a  
4 transfer of immovable property situated in the parish of Orleans be filed with the  
5 assessor; to provide for an effective date; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:4405 is hereby amended and reenacted to read as follows:

9 §4405. Sheriff to record sales in conveyance office in New Orleans; ~~filing of copies~~  
10 ~~with assessor~~; penalties

11 ~~A.~~ The sheriff of the parish of Orleans shall record in the conveyance office  
12 of the city of New Orleans all judicial sales of real property made by him, besides  
13 having the sales recorded in the clerk's office as now required by law.

14 ~~B.(1) Whenever any real property situated in the parish of Orleans is sold at~~  
15 ~~a sheriff's sale, it shall be the duty of the civil sheriff for the parish of Orleans to file~~  
16 ~~a copy of the act of sale with the assessor for the parish of Orleans within fifteen~~  
17 ~~days from the date of adjudication.~~

18 ~~(2) Whoever violates the provisions of this Subsection shall be fined not more~~  
19 ~~than fifty dollars or imprisoned in the parish jail for not more than sixty days, or~~  
20 ~~both.~~

21 Section 2. R.S. 35:199(A)(2)(b) is hereby amended and reenacted to read as follows:

22 §199. Duty to file, register, or record notarial instruments

23 A. Notaries public shall record all acts of sale, exchange, donation, and  
24 mortgage of immovable property passed before them, together with all resolutions,  
25 powers of attorney, and other documents annexed to or made part of the acts, in their  
26 proper order, and after first making a careful record of the acts in record books to be  
27 kept for that purpose as follows:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

\* \* \*

(2)

\* \* \*

(b) If the instrument is an act of sale or any other act evidencing a transfer of immovable property situated in the parish of Orleans, it shall be the duty of the notary to:

~~(i) File a copy of the instrument with the board of assessors for the parish of Orleans within fifteen days from the date of sale or transfer. Whenever there is annexed to such act any sketch, blueprint, or survey that forms part of the act, the copy filed with the board of assessors shall have attached a copy of the sketch, blueprint, or survey.~~

(ii) ~~Cause~~ **cause** the act to be registered with the office of the clerk as the recorder for the parish of Orleans, within forty-eight hours after the passage of the act.

\* \* \*

Section 3. This Act shall become effective on January 1, 2011.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_