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**HOUSE COMMITTEE AMENDMENTS**

2026 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 668 by Representative Muscarello

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "Articles" and before "4607" add "4605,"

3 AMENDMENT NO. 2

4 On page 1, line 3, change "Article 4607.1" to "Articles 4602.1 and 4607.1"

5 AMENDMENT NO. 3

6 On page 1, line 11, after "decree" delete the remainder of the line and insert "a partition by  
7 private sale if requested by any owner of the thing, or if the partition by private sale is not  
8 requested, a partition by licitation or, as provided in Paragraph B of this"

9 AMENDMENT NO. 4

10 On page 1, line 12, delete "by private sale"

11 AMENDMENT NO. 5

12 On page 2, line 3, after "Articles" and before "4607" add "4605,"

13 AMENDMENT NO. 6

14 On page 2, line 4, change "Article 4607.1 is" to "Articles 4602.1 and 4607.1 are"

15 AMENDMENT NO. 7

16 On page 2, between lines 5 and 6, insert the following:

17 "Art. 4602.1. Judicial partition of immovable property; posting of notice

18 When the property sought to be partitioned is a corporeal immovable, the  
19 petitioner, contemporaneous with causing service of the petition, shall affix notice  
20 of the institution of the proceeding in at least one prominent location on the  
21 immovable. This notice shall set forth the title and docket number of the proceeding,  
22 the name and address of the court, a description of the property sought to be  
23 partitioned, and shall notify the public that the plaintiff is seeking to have the  
24 property partitioned. Defects in the notice required by this Article shall not result in  
25 the nullification of the partition.

26 \* \* \*

27 Art. 4605. Preference; appointment of notary; discretion of court

28 A. A partition proceeding shall be tried with preference over other ordinary  
29 proceedings.

30 B. After the trial of the proceeding, if the court finds that the plaintiff is  
31 entitled to a partition of the property, the court ~~shall~~ may appoint a notary to make  
32 the partition in accordance with law.

33 C. Except as otherwise provided in Article 4606, the court has discretion to  
34 direct the manner and conditions of effecting the partition, so that it will be most  
35 advantageous and convenient to the parties.

36 \* \* \*

1 AMENDMENT NO. 8

2 On page 2, line 14, before "The" insert "If any co-owner demands that partition be made by  
3 private sale, the court shall order partition by private sale."

4 AMENDMENT NO. 9

5 On page 2, line 15, after "the" and before "has" change "thing" to "property"

6 AMENDMENT NO. 10

7 On page 2, line 16, after "manner" delete the remainder of the line and insert "which may  
8 include requiring the property to be listed in a multiple listing service or other similar  
9 database used to market property for sale in the area in which the property is situated."

10 AMENDMENT NO. 11

11 On page 2, line 22, after "costs of" and before "sale" delete "private"

12 AMENDMENT NO. 12

13 On page 2, line 24, after "the" and before "sale" delete "private"

14 AMENDMENT NO. 13

15 On page 2, at the end of line 29, insert "The purchase of a tax sale certificate which forms  
16 the basis of a co-owner's ownership interest in the property is not the payment of taxes."

17 AMENDMENT NO. 14

18 On page 4, line 21, after "sale" and before "be" delete the comma " , "