

RÉSUMÉ DIGEST

ACT 415 (HB 4)

2019 Regular Session

Dwight

Existing law provides procedures for the sale of property to satisfy certain judgments.

Prior law required the sheriff to read the mortgage certificate and other certificates aloud at the sheriff's sales.

Existing law imposes fines upon a sheriff who fails to procure or read aloud these certificates.

New law makes the reading of these certificates optional by adding additional methods of providing copies of these certificates to the public through public posting, written copies, electronic means, or any other method.

New law further requires the copies of the certificate to be provided to the public at least 24 hours prior to the sale.

New law stipulates that failure to read aloud, procure, or provide the certificate does not impact the validity of the sale and does not give rise to a cause of action against the sheriff, seizing creditor, or purchaser arising out of such failure.

Effective August 1, 2019.

(Amends C.C.P. Art. 2334 and R.S. 13:4345)