SLS 22RS-3145 ORIGINAL

2022 Regular Session

SENATE RESOLUTION NO. 152

BY SENATOR FOIL

CIVIL PROCEDURE. Requests the Louisiana State Law Institute to study and recommend legislation to implement procedures for conducting online judicial sales.

1	A RESOLUTION
2	To urge and request the Louisiana State Law Institute to study and recommend legislation
3	to implement procedures for conducting online judicial sales.
4	WHEREAS, the advancement of communication technology has made it possible to
5	conduct online auctions and public sales through the use of the internet; and
6	WHEREAS, conducting online judicial sales can attract more bidders and potentially
7	higher purchase prices, which would benefit both debtors and creditors in our state; and
8	WHEREAS, the laws regulating judicial sales have been amended numerous times
9	over the years, and it is important that changes to provide for online judicial sales be
10	carefully crafted to address the detailed procedure involved with conducting judicial sales;
11	and
12	WHEREAS, it is important that the laws providing for online judicial sales are
13	functional and do not jeopardize the validity of titles to properties conveyed through the
14	judicial sale process; and
15	WHEREAS, the Louisiana State Law Institute's general duties include examining and
16	studying the civil law and statutes of the state.
17	THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
18	does hereby declare that it is the policy of this state that available technology should be used

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to allow for online judicial sales in the state of Louisiana, with each selling authority having the choice of using such a procedure with the agreement of the seizing creditor.

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BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request that the Security Devices Committee of the Louisiana State Law Institute prepare draft legislation to enact, amend, and repeal laws in order to implement requirements and procedures for conducting online judicial sales by sheriffs, marshals, and constables, and that representatives of the Louisiana Bankers Association, Louisiana Sheriffs' Association, and Louisiana City Marshals and City Constables Association be appointed as special advisors to participate in drafting the legislation.

BE IT FURTHER RESOLVED that recommendations for revising state law in the form of proposed legislation shall be submitted to the Legislature of Louisiana no later than February 15, 2023.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana State Law Institute.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

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