

SENATE FLOOR AMENDMENTS

2025 Regular Session

Amendments proposed by Senator Morris to Engrossed House Bill No. 178 by Representative Mike Johnson

AMENDMENT NO. 1

On page 1, line 5, after "2595," insert "3721,"

AMENDMENT NO. 2

On page 1, line 20, after "proceedings;" insert "relative to methods of enforcing mortgages; to provide relative to civil actions; to provide with respect to provisions of the judgment; to provide relative to specific amounts, costs, expenses, and fees; to provide relative to terms, conditions, procedures, and requirements; to provide relative to judicial process, collection proceedings, and sales under fieri facias;"

AMENDMENT NO. 3

On page 3, line 3, after "2595," insert "3721,"

AMENDMENT NO. 4

On page 15, between lines 8 and 9 insert the following:

**Art. 3721. Methods of enforcing mortgage**

**A.** A conventional mortgage is enforced by ordinary or executory proceedings.

**B.** In any ordinary or executory proceeding to enforce a promissory note or other debt instrument combined with a mortgage or other security device, the judgment or order of executory process granted may include any amounts which accrue after the rendition of the judgment or order, including until the collateral is sold by judicial process pursuant to the provisions of the promissory note, debt interest, or security device, including, without limitation, obligations to reimburse advances for taxes and insurance, inspection or other fees provided for by contract, reasonable attorney fees, and court costs. The provisions of this Article shall be enforceable notwithstanding any other provision of law requiring that a judgment or order specify a definite amount.

**C.** Prior to the date of the sheriff's sale, the seizing creditor or his counsel shall file into the record the payoff amount of the obligation being enforced, including any amounts which have accrued after the filing of the petition, or rendition of the judgment or order in the case of ordinary process.

**D.** Any party with an interest in the property seized, including but not limited to mortgage and lien holders, may file a rule to show cause to traverse the payoff amount filed in accordance with Subsection C of this Article. The rule to show cause shall be filed before the sheriff disburses any funds from the judicial sale pursuant to the writ being executed.

**E.** A sheriff's or other sale held pursuant to court order shall be valid notwithstanding failure of an interested party to comply with the provisions of this Article.

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