

Regular Session, 2011

HOUSE BILL NO. 466

BY REPRESENTATIVE DANAHAHAY

PROPERTY: Provides relative to the sale of adjudicated property in Calcasieu Parish

1 AN ACT

2 To enact R.S. 47:2212, relative to Calcasieu Parish; to provide relative to the sale of
3 adjudicated property by the parish; to authorize the governing authority of the parish
4 to sell such property without notification to political subdivisions created by the
5 parish, subject to limitations; to provide relative to the cancellation of tax liens,
6 assessments, penalties, or other charges; and to provide for related matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article III, Section 13 of the Constitution of
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 47:2212 is hereby enacted to read as follows:

12 §2212. Sale of adjudicated property; Calcasieu Parish; notice to political
13 subdivisions created by the parish

14 Notwithstanding any other provision of law to the contrary, the governing
15 authority of the parish of Calcasieu is authorized to sell adjudicated property as
16 provided in this Subpart or as otherwise provided by law. If the sale of adjudicated
17 property occurs after the three-year redemptive period has elapsed, the governing
18 authority of the parish may proceed with the sale without notification to any political
19 subdivision created by the governing authority of the parish. Upon the sale of such
20 property, all outstanding tax liens, assessments, penalties, or other charges of any

1 such political subdivision on the property shall be cancelled contemporaneously with
2 the sale.

3 Section 2. All cancellations of outstanding tax liens, assessments, penalties, or other
4 charges relative to the sale of adjudicated property made by the governing authority of
5 Calcasieu Parish from on and after January 1, 2009, to the effective date of this Act, are
6 hereby validated, ratified, approved, and confirmed.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Danahay

HB No. 466

Abstract: Relative to the sale of adjudicated property in Calcasieu Parish, authorizes the parish governing authority to sell such property without notification to political subdivisions created by the parish. Provides for the cancellation of tax liens, assessments, penalties, or other charges of such political subdivisions.

Present law authorizes political subdivisions to adopt ordinances regarding the public sale or donation of adjudicated property. Provides generally relative to bidding prices and procedures and notice requirements. Provides further with respect to procedures for selling adjudicated property.

Proposed law retains present law.

Present law requires all proceeds from the sale of adjudicated property, after deduction of the costs of the sale, to be paid pro rata to the holders of the statutory impositions and governmental liens, except as otherwise agreed by the holders. Further requires that any amount in excess of the costs, statutory impositions, and governmental liens be paid to the selling political subdivision.

Proposed law retains present law.

Proposed law authorizes the governing authority of Calcasieu Parish to sell adjudicated property as provided in present law. Provides that if the sale occurs after the three-year redemptive period has elapsed, the governing authority may proceed with the sale without notification to any political subdivision created by the governing authority. Provides that all outstanding tax liens, assessments, penalties, or other charges of any such political subdivision on the property are cancelled contemporaneously with the sale.

Proposed law provides that all cancellations relative to the sale of adjudicated property made by the Calcasieu Parish governing authority from on and after Jan. 1, 2009, to the effective date of proposed law, are validated, ratified, approved, and confirmed.

(Adds R.S. 47:2212)