

Regular Session, 2012

HOUSE BILL NO. 940

BY REPRESENTATIVE ABRAMSON

SEIZURES/SALES: Provides with respect to notice of seizures

1 AN ACT

2 To amend and reenact R.S. 13:3852(A) and to enact R.S. 13:3852(C), relative to seizure of  
3 property; to provide with respect to notice of seizure; to provide that additional  
4 notice of rescheduled sale dates is not required; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:3852(A) is hereby amended and reenacted and R.S. 13:3852(C)  
7 is hereby enacted to read as follows:

8 §3852. Notices of seizure

9 A. The sheriff to whom the writ is directed shall make three notices setting  
10 forth the title of the action or proceeding, its docket number, the court which issued  
11 the writ, the amount of the judgment or claim specified in the writ, an exact copy of  
12 the description of the immovable property furnished him in accordance with R.S.  
13 13:3851, and the fact that the sheriff is seizing the described property, in accordance  
14 with Code of Civil Procedure Article 2293, and, if applicable, the date of the first  
15 scheduled sale of the property. If the immovable property to be seized is owned by  
16 more than one party, the sheriff shall make an additional notice for each additional  
17 party. No other notice of seizure shall be required.

18 \* \* \*

19 C. The Sheriff shall not be required to serve any further notice of  
20 rescheduled sale dates provided he has not returned the writ to the clerk of court.

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**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)]

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Abramson

HB No. 940

**Abstract:** Provides that no additional notice of rescheduled sale dates shall be required for seizure of property.

Present law provides for procedures by which immovable property may be seized to satisfy a judgment.

Present law requires the sheriff to make three notices of the seizure proceedings before seizing the described property.

Proposed law retains present law and provides that no additional notice is required, including notice of rescheduled sale dates.

(Amends R.S. 13:3852(A); Adds R.S. 13:3852(C))