

ACT No. 516

Regular Session, 2014

HOUSE BILL NO. 539

BY REPRESENTATIVE STOKES

1 AN ACT

2 To amend and reenact R.S. 6:966.1(A)(introductory paragraph), (B), and (C), relative to
3 default remedies; to amend the time delay for submission of a notice of repossession;
4 to provide for the methods of submission of the notice; to provide for proof of the
5 notice; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 6:966.1(A)(introductory paragraph), (B), and (C) and are hereby
8 amended and reenacted to read as follows:

9 §966.1. Notice of repossession; contents; fees

10 A. Within three business days of taking possession of collateral, a secured
11 party who utilizes the additional default remedies provided by this Chapter to obtain
12 possession of collateral shall ~~file~~ deliver in person or send by mail a "Notice of
13 Repossession" ~~with~~ to the recorder of mortgages in the parish where the collateral
14 was located and ~~with~~ to the appropriate official for filing purposes. The "Notice of
15 Repossession" shall contain the debtor's name, last known address, date of birth, and
16 a description of the collateral repossessed. If the "Notice of Repossession" is sent
17 by mail, the timeliness of the mailing shall be shown only by an official United
18 States postmark or by official receipt or certificate from the United States Postal
19 Service or private delivery service. For purposes of this Section, the appropriate
20 official shall be:

21 * * *

22 B. Within three business days of taking possession of collateral, ~~The~~ the
23 secured party shall deliver in person or send by mail a pay payment of seventy-five
24 dollars to the recorder of mortgages and two hundred fifty dollars to the appropriate
25 official for each "Notice of Repossession" filed. If the payment is sent by mail, the

1 timeliness of the mailing shall be shown only by an official United States postmark
2 or by official receipt or certificate from the United States Postal Service or private
3 delivery service.

4 C. If the sheriff is the appropriate official in the parish of Orleans, then there
5 shall be no fee paid to the sheriff; however, the "Notice of Repossession" shall still
6 be filed with the sheriff pursuant to the requirement set forth in Subsection A of this
7 Section.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____