

Regular Session, 2008
HOUSE BILL NO. 100

ACT No. 623

BY REPRESENTATIVE RICHMOND

1 AN ACT

2 To amend and reenact R.S. 13:4341, relative to public sales; to provide for the location of
3 sales by auction; to provide for sales at courthouse annexes in certain circumstances;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:4341 is hereby amended and reenacted to read as follows:

7 §4341. Time and place of sale; adjournments, Orleans Parish excepted

8 A. All public sales by auction, the parish of Orleans excepted, when made
9 by sheriffs, coroners, constables, auctioneers, or succession representatives shall be
10 advertised to take place at the courthouse, any courthouse annex if located in the
11 same parish as the courthouse but on the opposite side of any navigable river, or at
12 some other public place in the vicinity of the courthouse, on any Monday,
13 Wednesday, Friday, or Saturday of the month, beginning at ~~ten o'clock A.M.~~ 10:00
14 a.m., after the expiration of the time required by law for the advertisement of such
15 sales; and the sheriff, coroner, constable, auctioneer, or succession representative
16 may adjourn the sale to the following legal day, and then, from day to day, only in
17 case there shall not be time to conclude the sale in one day. However, nothing
18 contained herein shall deprive the defendant of the privilege now enjoyed by him of
19 having his movable property, when it is under seizure, offered for sale at his
20 domicile, upon his giving notice to the proper officer within three days after notice
21 of seizure. In the sales of succession property, consisting of only movable property
22 or of both movable and immovable property, the succession representative may pray
23 that the sale of the succession movable property be made on the premises.

1 B. When the sale takes place at the courthouse, courthouse annex, sheriff's
2 office, or other public place in the vicinity of the courthouse, the sheriff or other
3 person conducting the sale may use an empty courtroom, auditorium, or office with
4 sufficient seating for persons attending the sale. The location shall be accessible to
5 the public and reasonably specified in the advertisement of the time and place of
6 sale. The sheriff or other person conducting the sale shall maintain the decorum of
7 proceedings during the sale and may use a microphone or amplified sound system
8 for recitals required by the sale. The provisions of this Subsection are applicable to
9 all parishes in the state. If the sale is held under the provisions of this Subsection at
10 a location other than the steps of the courthouse, on the date of sale a notice of the
11 time and location of the sale shall be posted at the main entrance to the courthouse.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____