

Regular Session, 2004

HOUSE BILL NO. 30

BY REPRESENTATIVE BRUNEAU

PROPERTY/IMMOVABLE: Provides relative to notice of tax sales of immovable property

1 AN ACT

2 To amend and reenact R.S. 47:2183(C) and to repeal R.S. 47:2183(D), relative to tax sales
3 of immovable property; to provide for notice to the prior owner; to provide for
4 applicability; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 47:2183(C) is hereby amended and reenacted to read as follows:

7 §2183. Immovable property; tax sales; tax deeds

8 * * *

9 C. Within thirty days of the ~~tax sale~~ day when the deed is filed for record in
10 the conveyance office in the parish in which the property is situated, the purchaser
11 shall provide notice of the sale of that property to the prior owner of the property who
12 failed to pay the taxes on the property by ~~at~~ either of the following:

13 (1) Mailing to the prior owner, at the last known address of the prior owner,
14 a notice that the property has been sold for taxes. The notice shall provide to the
15 prior owner full and accurate information, including the name, physical address, and
16 telephone number of the purchaser, necessary for the prior owner to contact the
17 purchaser and shall be accompanied by a copy of the deed of sale received by the
18 purchaser under the provisions of this Section and copies of the documents which the
19 purchaser received with that deed of sale. The notice shall inform the prior owner
20 that if he fails to redeem his property prior to the expiration of the three-year

1 redemption period, the purchaser will have the right to seek confirmation of the tax
 2 title and take actual possession of the property. The notice required by this Section,
 3 and the documents required to be mailed with that notice, shall be mailed by certified
 4 mail, return receipt requested. If the return receipt is not returned within thirty days,
 5 or if it is returned without a signature indicating completion of delivery, then the
 6 purchaser shall provide notice as provided in Paragraph (2) of this Subsection.

7 (2) Delivering the notice required by this Section, and the documents
 8 required to be provided with that notice, to the prior owner, at the last known address
 9 of the prior owner. Delivery shall be made during appropriate hours, by leaving the
 10 notice and the documents with a person of suitable age and discretion, or, if no
 11 person of suitable age and discretion is available, by posting the notice and the
 12 documents in a conspicuous place on the property.

13 * * *

14 Section 2. R.S. 47:2183(D) is hereby repealed in its entirety.

15 Section 3. The provisions of this Act are procedural and curative and shall apply to
 16 all sales subject to the provisions of Act 946 of the 2003 Regular Session.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Bruneau

HB No. 30

Abstract: Provides for notice of tax sales of immovable property to the prior owner of the property by certified mail or delivery to his last known address. Repeals the third notice to the prior owner not earlier than six nor more than nine months prior to the expiration of the three-year redemptive period.

Present law provides for the notice of the sale of the property within 30 days of the tax sale.

Proposed law provides for the notice of the sale of the property within 30 days of the day when the deed is filed for record in the conveyance office.

Present law provides that the notice to the prior owner be both mailed by certified mail to the last known address of the prior owner and delivered to or posted at the last known address of the prior owner.

Proposed law provides that the notice shall be either mailed by certified mail or delivered to the last known address of the prior owner.

Proposed law repeals the requirement that a third notice be mailed by certified mail to the last known address of the prior owner not earlier than six nor more than nine months prior to the expiration of the three-year redemptive period.

Proposed law provides that the provisions of proposed law are procedural and curative and shall be applicable to all sales subject to the provisions of Act 946 of the 2003 R.S.

(Amends R.S. 47:2183(C); Repeals R.S. 47:2183(D))