

SENATE RESOLUTION NO. 152

BY SENATOR FOIL

A RESOLUTION

To urge and request the Louisiana State Law Institute to study and recommend legislation to implement procedures for conducting online judicial sales.

WHEREAS, the advancement of communication technology has made it possible to conduct online auctions and public sales through the use of the internet; and

WHEREAS, conducting online judicial sales can attract more bidders and potentially higher purchase prices, which would benefit both debtors and creditors in our state; and

WHEREAS, the laws regulating judicial sales have been amended numerous times over the years, and it is important that changes to provide for online judicial sales be carefully crafted to address the detailed procedure involved with conducting judicial sales; and

WHEREAS, it is important that the laws providing for online judicial sales are functional and do not jeopardize the validity of titles to properties conveyed through the judicial sale process; and

WHEREAS, the Louisiana State Law Institute's general duties include examining and studying the civil law and statutes of the state.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby declare that it is the policy of this state that available technology should be used to allow for online judicial sales in the state of Louisiana, with each selling authority having the choice of using such a procedure with the agreement of the seizing creditor.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request that the Security Devices Committee of the Louisiana State Law Institute prepare draft legislation to enact, amend, and repeal laws in order to implement requirements and procedures for conducting online judicial sales by sheriffs, marshals, and constables, and that representatives of the Louisiana Bankers Association, Louisiana Sheriffs' Association, and Louisiana City Marshals and City Constables Association be appointed as special advisors to participate in drafting the legislation.

BE IT FURTHER RESOLVED that recommendations for revising state law in the form of proposed legislation shall be submitted to the Legislature of Louisiana no later than February 15, 2023.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana State Law Institute.

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PRESIDENT OF THE SENATE