

ACT No. 19

Regular Session, 2012

HOUSE BILL NO. 350

BY REPRESENTATIVE ARNOLD

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AN ACT

To amend and reenact Code of Civil Procedure Article 2379, relative to evictions; to provide for rights of reimbursement; to provide for limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Article 2379 is hereby amended and reenacted to read as follows:

Art. 2379. Rights of buyer in case of eviction

The purchaser who has been evicted from property sold under a writ of fieri facias shall have his recourse for reimbursement against the judgment debtor and the seizing creditor. If judgment is obtained against both, the purchaser shall issue execution first against the judgment debtor, and if his judgment remains unsatisfied, he may issue execution against the seizing creditor. The purchaser's right of reimbursement against the seizing creditor shall be limited to the value received by the seizing creditor from the sheriff's sale conducted to sell the property under the writ of fieri facias.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_