

By: Senator(s) Robertson

To: Finance

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2873

1 AN ACT TO AMEND SECTION 13-3-169, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT SALES UNDER EXECUTION CONDUCTED BY A SPECIAL AGENT
3 OF THE STATE TAX COMMISSION PURSUANT TO A WARRANT, JEOPARDY
4 WARRANT OR ALIAS WARRANT ISSUED BY THE CHAIRMAN OF THE STATE TAX
5 COMMISSION, SHALL COMMENCE AND BE CONDUCTED AT THE TIMES SPECIFIED
6 BY THE CHAIRMAN OF THE STATE TAX COMMISSION OR HIS DULY AUTHORIZED
7 AGENT; TO PROVIDE THAT ALL SUCH SALES SHALL BE BY AUCTION TO THE
8 HIGHEST BIDDER FOR CASH OR FOR CASH EQUIVALENT; AND FOR RELATED
9 PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 13-3-169, Mississippi Code of 1972, is
12 amended as follows:

13 13-3-169. (1) Except as otherwise provided in this section,
14 sales under execution shall not commence sooner than eleven
15 o'clock in the forenoon, nor continue later than four o'clock in
16 the afternoon. All such sales shall be by auction, to the highest
17 bidder for cash, and only so much of the property levied on shall
18 be sold as will satisfy the execution and costs.

19 (2) Sales under execution conducted by a special agent of
20 the State Tax Commission pursuant to a warrant, jeopardy warrant
21 or alias warrant issued by the Chairman of the State Tax
22 Commission, shall commence and be conducted at the times specified
23 by the Chairman of the State Tax Commission or his duly authorized
24 agent. All such sales shall be by auction to the highest bidder
25 for cash or for cash equivalent deemed acceptable by the Chairman
26 of the State Tax Commission. Only so much of the property levied
27 on shall be sold as will satisfy the execution and costs.

28 **SECTION 2.** This act shall take effect and be in force from
29 and after July 1, 2005.