

By: Representative Holloway (By Request)

To: Judiciary A

## HOUSE BILL NO. 737

1 AN ACT TO AMEND SECTIONS 11-5-99 AND 13-3-169, MISSISSIPPI  
2 CODE OF 1972, TO REDUCE THE TIME PERIOD DURING WHICH SALES OF REAL  
3 ESTATE BY COURT ORDER AND SALES UNDER EXECUTION MAY BE HELD; AND  
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 11-5-99, Mississippi Code of 1972, is  
7 amended as follows:

8 11-5-99. A sale of real estate shall not begin before the  
9 hour of eleven o'clock (11:00 a.m.) on the day appointed, nor  
10 continue later than two o'clock (2:00 p.m.) of the same day.  
11 However, if the time is insufficient to complete the sale, it may  
12 be continued from day to day until completed, by giving public  
13 notice to the company present at the conclusion of each day's  
14 sale; and the sale on the succeeding days shall begin and end as  
15 directed for the first day.

16 **SECTION 2.** Section 13-3-169, Mississippi Code of 1972, is  
17 amended as follows:

18 13-3-169. (1) Except as otherwise provided in this section,  
19 sales under execution shall not begin before the hour of eleven  
20 o'clock (11:00 a.m.), nor continue later than two o'clock (2:00  
21 p.m.) of the day on which the sale is held. All those sales shall  
22 be by auction, to the highest bidder for cash, and only so much of  
23 the property levied on shall be sold as will satisfy the execution  
24 and costs.

25 (2) Sales under execution conducted by a special agent of  
26 the Department of Revenue pursuant to a warrant, jeopardy warrant  
27 or alias warrant issued by \* \* \* the Commissioner of Revenue,



28 shall begin and be conducted at the times specified by the  
29 commissioner or his duly authorized agent. All those sales shall  
30 be by auction to the highest bidder for cash or for cash  
31 equivalent deemed acceptable by the commissioner. Only so much of  
32 the property levied on shall be sold as will satisfy the execution  
33 and costs.

34 **SECTION 3.** This act shall take effect and be in force from  
35 and after July 1, 2011.

