

LEGISLATURE OF THE STATE OF IDAHO

Sixty-fourth Legislature

Second Regular Session - 2018

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 535

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

4 Be It Enacted by the Legislature of the State of Idaho:

5 SECTION 1. That Section 11-304, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 11-304. CONDUCT OF SALE. All sales of property under execution must be
8 made at auction, to the highest bidder, ~~between the hours of nine (9:00) in~~
9 ~~the morning and five (5:00) in the afternoon.~~ After sufficient property has
10 been sold to satisfy the execution, no more can be sold. Neither the officer
11 holding the execution nor his deputy can become a purchaser, or be interested
12 in any purchase, at such sale. When the sale is of personal property, capable
13 of manual delivery, it must be ~~within view of those who attend the sale,~~ and
14 be sold in such parcels as are likely to bring the highest price; and when the
15 sale is of real property, consisting of several known lots or parcels, they
16 must be sold separately, or when a portion of such real property is claimed by
17 a third person, and he requires it to be sold separately, such portion must be
18 thus sold. The judgment debtor, if present at the sale, may also direct the
19 order in which property, real or personal, shall be sold, when such property
20 consists of several known lots or parcels, or of articles which can be sold to
21 advantage separately, and the sheriff must follow such directions.