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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Hanna Gettys.

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SB 126 Original DIGEST 2024 Regular Session Owen

Present law (R.S. 9:2801) provides a process by which former spouses who are unable to agree on a partition of community property or on the settlement of the claims between the spouses arising either from the matrimonial regime or co-ownership of former community property may institute a proceeding to have the court partition the community property in accordance with specific rules provided in present law.

Proposed law retains present law.

Present law provides that if the allocation of an asset, in whole or in part, would be inequitable to a party, the court may order the private sale of the asset on such terms and conditions as the court deems proper, including but not limited to the execution of realtor listing agreements.

Proposed law retains present law but clarifies that the term "realtor" means "agents" as defined by present law (R.S. 37:1431).

Effective August 1, 2024.

(Amends R.S. 9:2801(A)(4)(e))