2021 Regular Session

HOUSE BILL NO. 100

BY REPRESENTATIVE DAVIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana. PROPERTY/COMMUNITY: Provides relative to partial partition of community property

1	AN ACT		
2	To enact Code of Civil Procedure Article 1915(A)(7) and R.S. 9:2801(D), relative to the		
3	partition of community property; to authorize partial partitions of community		
4	property in certain circumstances; to provide for the rendering of certain fina		
5	judgments; and to provide for related matters.		
6	Be it enacted by the Legislature of Louisiana:		
7	Section 1. Code of Civil Procedure Article 1915(A)(7) is hereby enacted to read as		
8	follows:		
9	Art. 1915. Partial final judgment; partial judgment; partial exception; partial		
10	summary judgment		
11	A. A final judgment may be rendered and signed by the court, even though		
12	it may not grant the successful party or parties all of the relief prayed for, or may not		
13	adjudicate all of the issues in the case, when the court:		
14	* * *		
15	(7) Signs a judgment for a partial partition of community property pursuant		
16	to R.S. 9:2801.		
17	* * *		
18	Section 2. R.S. 9:2801(D) is hereby enacted to read as follows:		

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	§2801. Partition of community property and settlement of claims arising from		
2	matrimonial regimes and co-ownership of former community property		
3	* * *		
4	D. The provisions of this Section shall not prohibit a partial partition of		
5	community property.		

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Provides relative to the partial partition of community property.

Present law (R.S. 9:2801) provides for the judicial partition of community property.

<u>Proposed law</u> retains <u>present law</u> and clarifies the permissiveness of partial partitions of community property.

<u>Present law</u> (C.C.P. Art. 1915) provides for the rendering of final judgment even though it may not grant all of the relief prayed for.

<u>Proposed law</u> adds the signing of judgment for partial partition of community property as a qualification for when final judgment may be rendered.

(Adds C.C.P. Art. 1915(A)(7) and R.S. 9:2801(D))