

2026 Regular Session

HOUSE BILL NO. 1044

BY REPRESENTATIVE LACOMBE

DIVORCE: Provides relative to classification of separate property

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AN ACT

To enact R.S. 9:2801.3, relative to classification of separate property; to provide relative to future earnings as it relates to the community property regime; to provide relative to unearned portions of employment contracts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2801.3 is hereby enacted to read as follows:

§2801.3. Award for future earnings; separate property

Future wages or earnings of a spouse set forth in an employment contract executed during the community property regime are the separate property of the contracting spouse for any unearned portions of the contract existing on the date the community property regime is terminated, including but not limited to any amounts later paid as severance pay or liquidated damages.

Section 2. It is the intent of the legislature to overrule *Orgeron v. Orgeron*, 413 So. 3d 390 (2025).

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)]

HB 1044 Engrossed

2026 Regular Session

LaCombe

Abstract: Provides relative to unearned portions of employment contracts and the community property regime.

Proposed law provides that future wages or earnings of a spouse set forth in an employment contract during the community property regime are the separate property of the contracting spouse if such wages or earnings remain unearned at the time the community terminates, including but not limited to any amounts later paid as severance pay or liquidated damages.

(Adds R.S. 9:2801.3)