

59 (b) in years ending in an even number, the child shall spend the following holidays  
60 with the noncustodial parent:

61 (i) the entire winter school break period; and

62 (ii) the Fall school break beginning the last day of school before the holiday until the  
63 day before school resumes;

64 (c) extended parent-time equal to 1/2 of the summer or off-track time for consecutive  
65 weeks. The children should be returned to the custodial home no later than seven days before  
66 school begins; however, this week shall be counted when determining the amount of  
67 parent-time to be divided between the parents for the summer or off-track period; and

68 (d) one weekend per month, at the option and expense of the noncustodial parent.

69 (7) ~~Ĥ~~→ **The court may also set a parent time schedule for children under the age of**  
69a **five. The schedule shall take into consideration the following:**

69b **(a) the age of the child;**

69c **(b) the developmental needs of the child;**

69d **(c) the distance between the parents' homes;**

69e **(d) the travel arrangements and cost;**

69f **(e) the level of attachment between the child and the non-custodial parent; and**

69g **(f) any other factors relevant to the best interest of the child.**

69h **(8) ←Ĥ** The noncustodial parent's monthly weekend entitlement is subject to the following  
70 restrictions.

71 (a) If the noncustodial parent has not designated a specific weekend for parent-time,  
72 the noncustodial parent shall receive the last weekend of each month unless a holiday assigned  
73 to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial  
74 parent falls on the last weekend of the month, the noncustodial parent shall be entitled to the  
75 next to the last weekend of the month.

76 (b) If a noncustodial parent's extended parent-time or parent-time over a holiday  
77 extends into or through the first weekend of the next month, that weekend shall be considered  
78 the noncustodial parent's monthly weekend entitlement for that month.

79 (c) If a child is out of school for teacher development days or snow days after the  
80 children begin the school year, or other days not included in the list of holidays in Subsection  
81 (6) and those days are contiguous with the noncustodial parent's monthly weekend parent-time,  
82 those days shall be included in the weekend parent-time.

83 ~~Ĥ~~→ **(8)** **(9) ←Ĥ** The custodial parent is entitled to all parent-time not specifically  
83a allocated to the  
84 noncustodial parent.

85           ~~H~~→ [(9)] (10) ←~~H~~ In the event finances and distance preclude the exercise of  
85a minimum parent-time  
86 for the noncustodial parent during the school year, the court should consider awarding more  
87 time for the noncustodial parent during the summer time if it is in the best interests of the  
88 children.  
89           ~~H~~→ [~~(10)~~] (11) ←~~H~~ Upon the motion of any party, the court may order uninterrupted  
89a parent-time with

90 the noncustodial parent for a minimum of 30 days during extended parent-time, unless the  
 91 court finds it is not in the best interests of the child. If the court orders uninterrupted  
 92 parent-time during a period not covered by this section, it shall specify in its order which parent  
 93 is responsible for the child's travel expenses.

94 ~~H→ [(11)]~~ (12) ~~←H~~ Unless otherwise ordered by the court the relocating party shall be  
 94a responsible for  
 95 all the child's travel expenses relating to Subsections (6)(a) and (b) and 1/2 of the child's travel  
 96 expenses relating to Subsection (6)(c), provided the noncustodial parent is current on all  
 97 support obligations. If the noncustodial parent has been found in contempt for not being  
 98 current on all support obligations, the noncustodial parent shall be responsible for all of the  
 99 child's travel expenses under Subsection (6), unless the court rules otherwise. Reimbursement  
 100 by either responsible party to the other for the child's travel expenses shall be made within 30  
 101 days of receipt of documents detailing those expenses.

102 ~~H→ [(12)]~~ (13) ~~←H~~ The court may apply this provision to any preexisting decree of divorce.

103 ~~H→ [(13)]~~ (14) ~~←H~~ Any action under this section may be set for an expedited hearing.

104 ~~H→ [(14)]~~ (15) ~~←H~~ A parent who fails to comply with the notice of relocation in  
 104a Subsection (2) shall  
 105 be in contempt of the court's order.

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**Legislative Review Note**  
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**Office of Legislative Research and General Counsel**