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Parent-time and Custody Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor:

LONG TITLE

General Description:

This bill addresses parent-time and custody.

Highlighted Provisions:

This bill:

- ▶ addresses a change of custody or parent-time for a minor child who turns five years old;
- ▶ modifies the parent-time requirements upon the relocation of a parent;
- ▶ addresses telephone contact and virtual parent-time for a noncustodial parent when a parent relocates;
- ▶ requires the time periods for extended parent-time by a parent for summer break or off-track time to be consecutive;
- ▶ modifies the parent-time schedules to address consistency among the schedules;
- ▶ modifies the parent-time schedules for Mother's Day and Father's Day;
- ▶ removes Columbus Day and Veterans Day as holidays in the parent-time schedules; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 81-9-208**, as renumbered and amended by Laws of Utah 2024, Chapter 366
- 81-9-209**, as renumbered and amended by Laws of Utah 2024, Chapter 366
- 81-9-302**, as renumbered and amended by Laws of Utah 2024, Chapter 366
- 81-9-303**, as renumbered and amended by Laws of Utah 2024, Chapter 366
- 81-9-304**, as renumbered and amended by Laws of Utah 2024, Chapter 366

Be it enacted by the Legislature of the state of Utah:

31 Section 1. Section **81-9-208** is amended to read:

32 **81-9-208 . Modification or termination of a custody or parent-time order --**

33 **Noncompliance with a parent-time order.**

34 (1) The court has continuing jurisdiction to make subsequent changes to modify:

35 (a) custody of a minor child if there is a showing of a substantial and material change in
36 circumstances since the entry of the order; and

37 (b) parent-time for a minor child if there is a showing that there is a change in
38 circumstances since the entry of the order.

39 (2) A substantial and material change in circumstances under Subsection (1)(a) includes a
40 showing by a parent that the other parent:

41 (a) resides with an individual or provides an individual with access to the minor child;
42 and

43 (b) knows that the individual:

44 (i) is required to register as a sex offender~~[-or]~~ , a kidnap offender, or a child abuse
45 offender for an offense against a minor child under Title 77, Chapter 41, [~~Sex and~~
46 ~~Kidnap Offender Registry~~] Sex, Kidnap, and Child Abuse Offender Registry; or

47 [~~ii~~] ~~is required to register as a child abuse offender under Title 77, Chapter 43, Child~~
48 ~~Abuse Offender Registry; or~~

49 [~~iii~~] (ii) has been convicted of:

50 (A) a child abuse offense under Section 76-5-109, 76-5-109.2, 76-5-109.3,
51 76-5-114, or 76-5-208;

52 (B) a sexual offense against a minor child under Title 76, Chapter 5, Part 4, Sexual
53 Offenses;

54 (C) an offense for kidnapping or human trafficking of a minor child under Title
55 76, Chapter 5, Part 3, Kidnapping, Trafficking, and Smuggling;

56 (D) a sexual exploitation offense against a minor child under Title 76, Chapter 5b,
57 Sexual Exploitation Act; or

58 (E) an offense that is substantially similar to an offense under Subsections
59 (2)(b)(iii)(A) through (D).

60 (3) A minor child turning five years old constitutes a substantial and material change in
61 circumstances under Subsection (1)(a) and a change in circumstances under Subsection
62 (1)(b).

63 [~~3~~] (4) On the petition of one or both of the parents, or the joint legal or physical

64 custodians if they are not the parents, the court may, after a hearing, modify or terminate

- 65 an order that established joint legal custody or joint physical custody if:
- 66 (a) the verified petition or accompanying affidavit initially alleges that admissible
67 evidence will show that there has been a substantial and material change in the
68 circumstances of the minor child or one or both parents or joint legal or physical
69 custodians since the entry of the order to be modified;
- 70 (b) a modification of the terms and conditions of the order would be an improvement for
71 and in the best interest of the minor child; and
- 72 (c)(i) both parents have complied in good faith with the dispute resolution procedure
73 in accordance with Subsection 81-9-205(8); or
- 74 (ii) if no dispute resolution procedure is contained in the order that established joint
75 legal custody or joint physical custody, the court orders the parents to participate
76 in a dispute resolution procedure in accordance with Subsection 81-9-205(13)
77 unless the parents certify that, in good faith, they have used a dispute resolution
78 procedure to resolve their dispute.
- 79 [~~(4)~~] (5)(a) In determining whether the best interest of a minor child will be served by
80 either modifying or terminating the joint legal custody or joint physical custody
81 order, the court shall, in addition to other factors the court considers relevant,
82 consider the factors described in Sections 81-9-204 and 81-9-205.
- 83 (b) A court order modifying or terminating an existing joint legal custody or joint
84 physical custody order shall contain written findings that:
- 85 (i) a substantial and material change of circumstance has occurred; and
86 (ii) a modification of the terms and conditions of the order would be an improvement
87 for and in the best interest of the minor child.
- 88 (c) The court shall give substantial weight to the existing joint legal custody or joint
89 physical custody order when the minor child is thriving, happy, and well-adjusted.
- 90 [~~(5)~~] (6) The court shall, in every case regarding a petition for termination of a joint legal
91 custody or joint physical custody order, consider reasonable alternatives to preserve the
92 existing order in accordance with Section 81-9-204.
- 93 [~~(6)~~] (7) The court may modify the terms and conditions of the existing order in accordance
94 with this chapter and may order the parents to file a parenting plan in accordance with
95 Section 81-9-203.
- 96 [~~(7)~~] (8) A parent requesting a modification from sole custody to joint legal custody or joint
97 physical custody or both, or any other type of shared parenting arrangement, shall file
98 and serve a proposed parenting plan with the petition to modify in accordance with

99 Section 81-9-203.

100 [~~(8)~~] (9) If an issue before the court involves custodial responsibility in the event of
 101 deployment of one or both parents who are service members, and the service member
 102 has not yet been notified of deployment, the court shall resolve the issue based on the
 103 standards in Sections 78B-20-306 through 78B-20-309.

104 [~~(9)~~] (10) If the court finds that an action to modify custody or parent-time is filed or
 105 answered frivolously and, in a manner, designed to harass the other party, the court shall
 106 assess attorney fees as costs against the offending party.

107 [~~(10)~~] (11) If a petition to modify custody or parent-time provisions of a court order is made
 108 and denied, the court shall order the petitioner to pay the reasonable attorney fees
 109 expended by the prevailing party in that action if the court determines that the petition
 110 was without merit and not asserted or defended against in good faith.

111 [~~(11)~~] (12) If a motion or petition alleges noncompliance with a parent-time order by a
 112 parent, or a visitation order by a grandparent or other member of the immediate family
 113 where a visitation or parent-time right has been previously granted by the court, the
 114 court:

115 (a) may award to the prevailing party:

116 (i) actual attorney fees incurred;

117 (ii) the costs incurred by the prevailing party because of the other party's failure to
 118 provide or exercise court-ordered visitation or parent-time, including:

119 (A) court costs;

120 (B) child care expenses;

121 (C) transportation expenses actually incurred;

122 (D) lost wages, if ascertainable; or

123 (E) counseling for a parent or a minor child if ordered or approved by the court; or

124 (iii) any other appropriate equitable remedy; and

125 (b) shall award reasonable make-up parent-time to the prevailing party, unless make-up
 126 parent-time is not in the best interest of the minor child.

127 Section 2. Section **81-9-209** is amended to read:

128 **81-9-209 . Notice of relocation -- Effect of relocation on parent-time schedule.**

129 (1) As used in this section, "relocation" means moving 150 miles or more from the
 130 residence of the other parent.

131 (2) The relocating parent shall provide written notice to the other parent at least 60 days
 132 before the day on which the relocating parent intends to relocate.

- 133 (3) The written notice of relocation [~~under~~] described in Subsection (2) shall contain
134 statements affirming[-]:
- 135 (a) the parent-time provisions in Subsection (9) or a parent-time schedule approved by
136 both parties will be followed; and
- 137 (b) that a parent will not interfere with the other's parental rights pursuant to court
138 ordered parent-time arrangements or the parent-time schedule approved by both
139 parties.
- 140 (4) [~~The~~] Upon a motion of any party or upon the court's own motion, the court shall[~~, upon~~
141 ~~motion of any party or upon the court's own motion,~~] schedule a hearing with notice to:
- 142 (a) review the notice of relocation and the relevant parent-time schedule under Section
143 81-8-302 or 81-8-304; and
- 144 (b) make appropriate orders regarding the parent-time schedule and costs for
145 parent-time transportation.
- 146 (5) In a hearing to review the notice of relocation, the court shall, in determining if the
147 relocation of a custodial parent is in the best interest of the minor child, consider any
148 other factors that the court considers relevant to the determination.
- 149 (6) If the court determines that relocation is not in the best interest of the minor child, and
150 the custodial parent relocates, the court may order a change of custody.
- 151 (7)(a) If the court finds that the relocation is in the best interest of the minor child, the
152 court shall determine the parent-time schedule and allocate the transportation costs
153 that will be incurred for the minor child to visit the noncustodial parent.
- 154 (b) In making a determination under Subsection (7)(a), the court shall consider:
- 155 (i) the reason for the parent's relocation;
- 156 (ii) the additional costs or difficulty to both parents in exercising parent-time;
- 157 (iii) the economic resources of both parents; and
- 158 (iv) other factors the court considers necessary and relevant.
- 159 (8) If a parent relocates because of an act of domestic violence or family violence by the
160 other parent, the court shall make specific findings and orders with regard to the
161 application of this section.
- 162 (9) Unless otherwise ordered by the court, and upon the relocation of one of the parties, the
163 following schedule is the minimum parent-time that the noncustodial parent is entitled to
164 a minor child who is five to 18 years old:
- 165 (a) in years ending in an odd number, the minor child shall spend the following holidays
166 with the noncustodial parent:

- 167 ~~[(i) Thanksgiving holiday beginning Wednesday until Sunday; and]~~
 168 ~~[(ii) Spring break, if applicable, beginning the last day of school before the holiday~~
 169 ~~until the day before school resumes;]~~
 170 (i)(A) fall break if the minor child's school dismisses for a fall break, beginning on
 171 the day that school dismisses for fall break and ending on the day before school
 172 resumes; or
 173 (B) Labor Day if the minor child's school does not dismiss for a fall break,
 174 beginning on the day that school dismisses for Labor Day and ending on the
 175 day before school resumes; and
 176 (ii) the entire winter break period, beginning on the day that school dismisses for the
 177 winter break and ending on the day before school resumes;
 178 (b) in years ending in an even number, the minor child shall spend the following
 179 holidays with the noncustodial parent:
 180 ~~[(i) the entire winter school break period; and]~~
 181 ~~[(ii) the Fall school break beginning the last day of school before the holiday until the~~
 182 ~~day before school resumes;]~~
 183 (i)(A) spring break, beginning on the day that school dismisses for the spring
 184 break and ending on the day before school resumes; or
 185 (B) President's Day if the minor child's school does not dismiss for a spring break,
 186 beginning on the day that school dismisses for President's Day and ending on
 187 the day before school resumes; and
 188 (ii) Thanksgiving, beginning on the day that school dismisses for Thanksgiving and
 189 ending on the day before school resumes;
 190 (c) extended parent-time equal to 1/2 of the summer or off-track time for consecutive
 191 weeks with:
 192 (i) the noncustodial parent entitled to the first 1/2 of the summer or off-track time in
 193 years ending in an odd number; and
 194 (ii) the noncustodial parent entitled to the second 1/2 of the summer or off-track time
 195 in years ending in an even number; and
 196 (d) one weekend per month, at the option and expense of the noncustodial parent.
 197 (10) For extended parent-time ~~[under]~~ described in Subsection (9)(c), the ~~[minor child~~
 198 ~~should be returned]~~ noncustodial parent shall return the minor child to the custodial home
 199 no later than seven days before school begins, except that this week is counted when
 200 determining the amount of parent-time to be divided between the parents for the summer

- 201 or off-track period.
- 202 (11)(a) ~~[The]~~ Upon relocation of one of parties, the court may [also-]set a parent-time
203 schedule for a minor child who is younger than five years old.
- 204 (b) The schedule shall take into consideration the following:
- 205 (i) the age of the minor child;
- 206 (ii) the developmental needs of the minor child;
- 207 (iii) the distance between the parents' homes;
- 208 (iv) the travel arrangements and cost;
- 209 (v) the level of attachment between the minor child and the noncustodial parent; and
- 210 (vi) any other factors relevant to the best interest of the minor child.
- 211 ~~[(12) The noncustodial parent's monthly weekend entitlement is subject to the following~~
212 ~~restrictions.]~~
- 213 ~~[(a)]~~
- 214 ~~[(i)]~~ (12)(a)(i) If the noncustodial parent has not designated a specific weekend [for
215 parent-time] on which the noncustodial parent will exercise parent-time under
216 Subsection (9)(d), the noncustodial parent shall receive the last weekend of each
217 month[unless a holiday assigned to the custodial parent falls on that particular
218 weekend].
- 219 (ii) If a holiday assigned to the custodial parent falls on [the last weekend of the
220 month] a weekend on which the noncustodial parent normally exercises
221 parent-time under Subsection (9)(d), the noncustodial parent is entitled to the [
222 next to the last weekend of the month] week before the holiday.
- 223 (b) If a noncustodial parent's extended parent-time or parent-time over a holiday extends
224 into or through the first weekend of the next month, that weekend shall be considered
225 the noncustodial parent's monthly weekend entitlement under Subsection (9)(d) for
226 that month.
- 227 (c) If a minor child is out of school for teacher development days or snow days after the
228 minor child begins the school year, or other days not included in the list of holidays
229 in Subsection (9), and those days are contiguous with the noncustodial parent's
230 monthly weekend or holiday parent-time, those days shall be included in the
231 noncustodial parent's weekend or holiday parent-time.
- 232 (13)(a) In addition to the parent-time for which a noncustodial parent is entitled under
233 Subsection (9), the noncustodial parent is entitled to, at least two times a week:
- 234 (i) brief telephone contact with the minor child at reasonable hours and for a

- 235 reasonable duration; and
- 236 (ii) virtual parent-time if the equipment is reasonably available at reasonable hours
- 237 and for reasonable duration.
- 238 (b) If the parties cannot agree on whether the equipment is reasonably available, the
- 239 court shall decide whether the equipment for virtual parent-time is reasonably
- 240 available, taking into consideration:
- 241 (i) the best interests of the minor child;
- 242 (ii) each parent's ability to handle any additional expenses for virtual parent-time; and
- 243 (iii) any other factors the court considers material.
- 244 (c) Virtual parent-time supplements, but does not replace, the in-person parent-time
- 245 described in Subsection (9).
- 246 ~~[(13)]~~ (14) The custodial parent is entitled to all parent-time not specifically allocated to the
- 247 noncustodial parent.
- 248 ~~[(14)]~~ (15) In the event finances and distance preclude the exercise of minimum parent-time
- 249 for the noncustodial parent during the school year, the court should consider awarding
- 250 more time for the noncustodial parent during the summer time if it is in the best interests
- 251 of the ~~[the-]~~minor child.
- 252 ~~[(15)]~~ (16)(a) Upon the motion of any party, the court may order uninterrupted
- 253 parent-time with the noncustodial parent for a minimum of 30 days during extended
- 254 parent-time, unless the court finds it is not in the best interest of the minor child.
- 255 (b) If the court orders uninterrupted parent-time during a period not covered by this
- 256 section, the court shall specify in its order which parent is responsible for the minor
- 257 child's travel expenses.
- 258 ~~[(16)]~~ (17)(a) Unless otherwise ordered by the court the relocating party shall be
- 259 responsible for all the minor child's travel expenses relating to Subsections (9)(a) and
- 260 (b) and 1/2 of the minor child's travel expenses relating to Subsection (9)(c), provided
- 261 the noncustodial parent is current on all support obligations.
- 262 (b) If the noncustodial parent has been found in contempt for not being current on all
- 263 support obligations, the noncustodial parent is responsible for all of the minor child's
- 264 travel expenses under Subsection (9), unless the court rules otherwise.
- 265 (c) A responsible party shall make a reimbursement to the other for the minor child's
- 266 travel expenses within 30 days of receipt of documents detailing those expenses.
- 267 ~~[(17)]~~ (18) The court may apply this provision to any preexisting decree of divorce.
- 268 ~~[(18)]~~ (19) Any action under this section may be set for an expedited hearing.

269 [(19)] (20) A parent who fails to comply with the notice of relocation in Subsection (2) is in
270 contempt of the court's order.

271 Section 3. Section **81-9-302** is amended to read:

272 **81-9-302 . Minimum schedule for parent-time for a minor child five to 18 years**
273 **old.**

274 (1) The parent-time schedule in this section applies to a minor child who is five to 18 years
275 old.

276 (2) If the parties do not agree to a parent-time schedule for a minor child described in
277 Subsection (1), the following schedule is considered the minimum parent-time to which
278 the noncustodial parent is entitled to the minor child:

279 (a)(i) one weekday evening to be specified by the noncustodial parent or the court or
280 Wednesday evening if not specified, beginning at 5:30 p.m. and ending at 8:30
281 p.m.; or

282 (ii) at the election of the noncustodial parent, one weekday to be specified by the
283 noncustodial parent or the court:

284 (A) beginning at the time that the minor child's school is regularly dismissed and
285 ending at 8:30 p.m.; or

286 (B) if school is not in session, the noncustodial parent is available to be with the
287 minor child, and in accommodation with the custodial parent's work schedule,
288 beginning at [9] 8 a.m. and ending at 8:30 p.m.;

289 (b)(i) beginning on the first weekend after entry of the decree, alternating weekends
290 beginning at [6] 5:30 p.m. on Friday and ending on Sunday at [7] 8:30 p.m.; or

291 (ii) at the election of the noncustodial parent and beginning on the first weekend after
292 the entry of the decree, alternating weekends:

293 (A) beginning at the time that the minor child's school is regularly dismissed on
294 Friday and ending on Sunday at [7] 8:30 p.m.; or

295 (B) if school is not in session, the noncustodial parent is available to be with the
296 minor child, and in accommodation with the custodial parent's work schedule,
297 beginning on Friday at [9] 8 a.m. and ending on Sunday at [7] 8:30 p.m.;

298 (c) each holiday granted to the noncustodial parent in accordance with the holiday
299 schedule described in Subsection (12); and

300 (d) extended parent-time with the minor child when school is not in session for summer
301 break in accordance with Subsection (3).

302 (3)(a) For extended parent-time with the minor child ~~under~~ described in Subsection

303 (2)(d) and at the election of the noncustodial parent, the noncustodial parent is
304 entitled up to four weeks of parent-time with the minor child[~~,- which may be~~
305 ~~consecutive,~~] when school is not in session for summer break, beginning at 8 a.m. on
306 the first day and ending at 8:30 p.m. on the last day.

307 (b) For the four weeks of extended parent-time for a noncustodial parent under
308 Subsection (3)(a):

309 (i) two weeks[~~,- which may be consecutive,~~] shall be uninterrupted parent-time for the
310 noncustodial parent; and

311 (ii) two weeks[~~,- which may be consecutive,~~] may be interrupted by the custodial
312 parent for a weekday visit on the same day on which the noncustodial parent is
313 granted weekday day parent-time.

314 (c) A custodial parent is entitled to uninterrupted parent-time with the minor child for
315 two weeks[~~,- which may be consecutive,~~] when school is not in session for summer
316 break, beginning at 8 a.m. on the first day and ending at 8:30 p.m. on the last day.

317 (d) Extended parent-time described in this Subsection (3) must be consecutive, except
318 that the four weeks of extended parent-time for the noncustodial parent may be
319 divided into two separate 14-day periods that are not consecutive.

320 (4)(a) Each parent shall provide notification to the other parent of the parent's plans for
321 the exercise of extended parent-time for summer break under Subsection (3).

322 (b) For the notification requirement [~~under~~] described in Subsection (4)(a):

323 (i) in odd-numbered years:

324 (A) the noncustodial parent shall provide notice to the custodial parent by May 1;
325 and

326 (B) the custodial parent shall provide notice to the noncustodial parent by May 15;
327 and

328 (ii) in even-numbered years:

329 (A) the custodial parent shall provide notice to the noncustodial parent by May 1;
330 and

331 (B) the noncustodial parent shall provide notice to the custodial parent by May 15.

332 (c)(i) If a parent fails to provide a notification within the time periods described in
333 Subsection (4)(b), the complying parent may determine the schedule for summer
334 break for the noncomplying parent.

335 (ii) If both parents fail to provide notice within the time periods described in
336 Subsection (4)(b), the first parent to provide notice may determine the schedule

- 337 for summer break for that parent and the other parent.
- 338 (d) If a custodial parent intends to interrupt a noncustodial parent's parent-time under
339 Subsection (3)(b)(ii), the custodial parent shall provide notification to the
340 noncustodial parent of the intent to interrupt parent-time within 10 days after the day
341 on which the custodial parent receives notification of the noncustodial parent's plans
342 for the exercise of interrupted extended parent-time.
- 343 (5)(a) An election should be made by the noncustodial parent at the time of entry of the
344 divorce decree or court order, except that the election may be changed by mutual
345 agreement, court order, or by the noncustodial parent in the event of a change in the
346 minor child's schedule.
- 347 (b) An election by either parent concerning parent-time shall be made a part of the
348 decree and made a part of the parent-time order.
- 349 (6)(a) Changes may not be made to the parent-time schedule under this section, except
350 that if a conflict arises in the parent-time schedule, the following order of precedence
351 shall be applied when determining which parent is entitled to parent-time:
- 352 (i) the holiday schedule for Mother's Day or Father's Day under Subsection (12);
353 (ii) the holiday schedule for the minor child's birthday, unless a parent is exercising
354 uninterrupted extended parent-time under Subsection (3) and takes the minor child
355 away from that parent's residence during the uninterrupted extended parent-time;
356 (iii) the holiday schedule for any holiday under Subsection (12) that is not Father's
357 Day, Mother's Day, or the minor child's birthday;
358 (iv) extended parent-time under Subsection (3); and
359 (v) the schedule for weekday or weekend parent-time.
- 360 (b) A parent exercising parent-time for the minor child's birthday may bring other
361 siblings along for the minor child's birthday.
- 362 (7) A stepparent, grandparent, or other responsible adult designated by [~~the noncustodial~~] a
363 parent, may pick up the minor child for parent-time if the [~~eustodial~~] other parent is
364 aware of the identity of the individual and the [~~noncustodial~~]parent will be with the
365 minor child by 7 p.m.
- 366 (8) If a holiday falls on a regularly scheduled school day, the parent exercising parent-time
367 shall be responsible for the minor child's attendance at school for that school day.
- 368 (9) If there is more than one minor child and the minor children's school schedules vary for
369 purpose of a holiday, at the option of the parent exercising the holiday or the parent's
370 half of the holiday, the minor children may remain together for the holiday period

371 beginning the first evening that all minor children's schools are dismissed for the holiday
 372 and ending the evening before any minor child returns to school.

373 (10)(a) Telephone contact shall be at reasonable hours and for a reasonable duration.

374 (b)(i) Virtual parent-time, if the equipment is reasonably available and the parents
 375 reside at least 100 miles apart, shall be at reasonable hours and for reasonable
 376 duration.

377 (ii) If the parties cannot agree on whether the equipment is reasonably available, the
 378 court shall decide whether the equipment for virtual parent-time is reasonably
 379 available, taking into consideration:

380 (A) the best interests of the minor child;

381 (B) each parent's ability to handle any additional expenses for virtual parent-time;
 382 and

383 (C) any other factors the court considers material.

384 (c) Virtual parent-time supplements, but does not replace, in-person parent-time.

385 (11) If there is a minor child five to 18 years old and a minor child under five years old and
 386 both minor children are the children of the parties, the parents and the court should
 387 consider an upward deviation for parent-time with all the minor children so that
 388 parent-time is uniform based on a schedule under this section.

389 (12) The following table is the holiday schedule for parent-time under this section.

Holiday	Holiday Time Period	Years Noncustodial Parent is Granted Holiday	Years Custodial Parent is Granted Holiday
391 Dr. Martin Luther King Jr. Day	(1) Holiday begins Friday at (a) 9 a.m. if school is not in session and the parent can be with the minor child; (b) the time that school is regularly dismissed; or] : <u>(a) at the time that school is dismissed for Dr. Martin Luther King Jr. Day; or</u>	Odd years	Even years

		<p>[(e) 6 p.m.] (b) Friday at 5:30 p.m. at the election of the parent granted the holiday.</p> <p>(2) Holiday ends at [7] 8:30 p.m. on Dr. Martin Luther King Jr. Day.</p>		
392	President's Day	<p>(1) Holiday begins[Friday at]: [(a) 9 a.m. if school is not in session and the parent can be with the minor child; (b)] (a) at the time that school is [regularly dismissed] dismissed for <u>President's Day</u>; or</p> <p>[(e) 6 p.m.] (b) Friday at 5:30 p.m. at the election of the parent granted the holiday.</p> <p>(2) Holiday ends at [7] 8:30 p.m. on the day before school resumes.</p>	Even years	Odd years
393	Spring Break	<p>(1) Holiday begins at:</p> <p>[6] (a) the time that school is dismissed for spring break; or (b) 5:30 p.m. on the day that school dismisses for spring break at the election of the parent granted the holiday.</p> <p>(2) Holiday ends at [7] 8:30 p.m. on the day before school resumes.</p>	Odd years	Even years
394	Memorial Day	<p>(1) Holiday begins[Friday at]: [(a) 9 a.m. if school is not in session and the parent can be with the minor child; (b)] (a) at the time that school is [regularly dismissed] dismissed for <u>Memorial Day</u>; or</p>	Even years	Odd years

		[(e)–6] (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at [7] 8:30 p.m. on Memorial Day.		
395	Mother's Day	(1) Holiday begins [on Mother's Day at 9 a.m.] at 5:30 p.m. on the day before Mother's Day. (2) Holiday ends on Mother's Day at [7] 8:30 p.m.	All years if noncustodial parent is the mother or other parent granted the holiday in the order.	All years if custodial parent is the mother or other parent granted the holiday in the order.
396	Father's Day	(1) Holiday begins [on Father's Day at 9 a.m.] at 5:30 p.m. on the day before Father's Day. (2) Holiday ends on Father's Day at [7] 8:30 p.m.	All years if noncustodial parent is the father or other parent granted the holiday in the order.	All years if custodial parent is the father or other parent granted the holiday in the order.
397	Juneteenth National Freedom Day	(1) Holiday begins at: (a) [6] 5:30 p.m. on the day before Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is not Father's Day; or (b) [9] 8 a.m. on Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is Father's Day. (2) Holiday ends at [6] 8:30 p.m. on the day following Juneteenth National Freedom Day.	Even years	Odd years
398	Independence Day	(1) Holiday begins on July 3rd at [6] 5:30 p.m.	Odd years	Even years

		(2) Holiday ends on July 5th at [6] <u>8:30</u> p.m.		
399	Pioneer Day	(1) Holiday begins on July 23rd at [6] <u>5:30</u> p.m. (2) Holiday ends on July 25th at [6] <u>8:30</u> p.m.	Even years	Odd years
400	Labor Day	(1) Holiday begins [on Friday at]: [(a) 9 a.m. if school is not in session and the parent can be with the minor child; (b)] (a) at the time that school is [regularly dismissed] <u>dismissed for Labor Day</u> ; or [(e) 6] (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at [7] <u>8:30</u> p.m. on Labor Day.	Odd years	Even years
401	[Columbus Day]	(1) Holiday begins at 6 p.m. on the day before Columbus Day. (2) Holiday ends at 7 p.m. on Columbus Day.	Even years	Odd years]
402	Fall Break	(1) Holiday begins at [6 p.m.] : (a) <u>the time that school is dismissed for fall break; or</u> (b) <u>5:30 p.m. on the day school is dismissed for fall break at the election of the parent granted the holiday.</u> (2) Holiday ends at [7] <u>8:30</u> p.m. on the day before school resumes.	Odd years	Even years
403	Halloween	(1) Holiday begins on October 31st or the day that Halloween is traditionally celebrated in the local community:	Even years	Odd years

		(a) at the time that school is dismissed; or (b) at [4] 3 p.m. if there is no school. (2) Holiday ends at [9] 8:30 p.m. on the same day the holiday begins.		
404	[Veterans Day	(1) Holiday begins at 6 p.m. on the day before Veterans Day. (2) Holiday ends at 7 p.m. on Veterans Day.	Odd years	Even years]
405	Thanksgiving	(1) Holiday begins[on Wednesday] at: [(a) 6 p.m.; or (b) the time school is regularly dismissed for Thanksgiving at the election of the parent granted the holiday.] (a) the time that school is dismissed for Thanksgiving; or (b) 5:30 p.m. on the day that school is dismissed for Thanksgiving at the election of the parent granted the holiday. (2) Holiday ends at [7] 8:30 p.m. on the day before school resumes.	Even years	Odd years
406	Winter Break (First Half)	(1) Holiday begins at: (a) [6 p.m. on the day on] the time that school dismisses for winter break; or (b) [the time school is regularly dismissed] 5:30 p.m. on the day that school dismisses for winter break at the election of the parent granted the holiday. (2) Holiday ends on December 27th at [7] 8:30 p.m.	Odd years	Even years
407	Winter Break (Second Half)	(1) Holiday begins on December 27th at [7] 8:30 p.m.	Even years	Odd years

	(2) Holiday ends at [7] <u>8:30</u> p.m. on the day before school resumes.		
408	Day of Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at [9] <u>8:30</u> p.m.	Even years Odd years
409	Day Before or After Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at [9] <u>8:30</u> p.m.	Odd years Even years

410 Section 4. Section **81-9-303** is amended to read:

411 **81-9-303 . Optional schedule for parent-time for a minor child five to 18 years**

412 **old.**

413 (1)(a) The optional parent-time schedule in this section applies to a minor child who is
414 five to 18 years old.

415 (b) For purposes of calculating child support, the optional parent-time schedule in this
416 section is 145 overnights.

417 (c) Any impact on child support shall be consistent with joint physical custody.

418 (2) The parents and the court may consider the increased parent-time schedule in this
419 section as a minimum parent-time schedule when the parties agree or the noncustodial
420 parent can demonstrate:

421 (a) the noncustodial parent has been actively involved in the minor child's life;

422 (b) the parties can communicate effectively regarding the minor child or the
423 noncustodial parent has a plan to accomplish effective communications regarding the
424 minor child;

425 (c) the noncustodial parent has the ability to facilitate the increased parent-time;

426 (d) the increased parent-time would be in the best interest of the minor child; and

427 (e) any other factor the court considers relevant.

428 (3) In determining whether a noncustodial parent has been actively involved in the minor
429 child's life, the court shall consider:

430 (a) demonstrated responsibility in caring for the minor child;

431 (b) involvement in childcare;

432 (c) presence or volunteer efforts in the minor child's school and at extracurricular
433 activities;

434 (d) assistance with the minor child's homework;

435 (e) involvement in preparation of meals, bath time, and bedtime for the minor child;

- 436 (f) bonding with the minor child; and
437 (g) any other factor the court considers relevant.
- 438 (4) In determining whether a noncustodial parent has the ability to facilitate the increased
439 parent-time, the court shall consider:
- 440 (a) the geographic distance between the residences of the parents and the distance
441 between the parents' residences and the minor child's school;
- 442 (b) the noncustodial parent's ability to assist with after school care;
- 443 (c) the health of the minor child and the noncustodial parent in accordance with
444 Subsection 81-9-204(5);
- 445 (d) flexibility of employment or another schedule of the noncustodial parent;
- 446 (e) ability to provide appropriate playtime with the minor child;
- 447 (f) history and ability of the noncustodial parent to implement a flexible schedule for the
448 minor child;
- 449 (g) physical facilities of the noncustodial parent's residence; and
450 (h) any other factor the court considers relevant.
- 451 (5) If the parties agree or the court enters an order for the optional parent-time schedule
452 under this section, a parenting plan in compliance with Section 81-9-203 shall be filed
453 with any order incorporating the optional parent-time schedule described in Subsection
454 (6).
- 455 (6) The following schedule is considered the optional parent-time to which the noncustodial
456 parent is entitled to the minor child:
- 457 (a)(i) one weekday evening to be specified by the noncustodial parent or the court or
458 Wednesday evening if not specified, beginning at 5:30 p.m. and ending the
459 following day upon delivering the minor child to school or at 8 a.m. if there is no
460 school; or
- 461 (ii) at the election of the noncustodial parent, one weekday specified by the
462 noncustodial parent or the court:
- 463 (A) beginning at the time the minor child's school is regularly dismissed until the
464 following day upon delivering the minor child to school or at 8 a.m. if there is
465 no school; or
- 466 (B) if there is no school, the noncustodial parent is available to be with the minor
467 child, and in accommodation with the custodial parent's work schedule,
468 beginning at 8 a.m. and ending on the following day upon delivering the minor
469 child to school or at 8 a.m. if there is no school;

- 470 (b)(i) beginning the first weekend after the entry of the decree, alternating weekends
471 beginning at [6] 5:30 p.m. on Friday and ending on Monday upon delivering the
472 minor child to school or at 8 a.m. if there is no school; or
- 473 (ii) at the election of the noncustodial parent, beginning the first weekend after the
474 entry of the decree, alternating weekends:
- 475 (A) beginning at the time the minor child's school is regularly dismissed on Friday
476 and ending on Monday upon delivering the minor child to school or at 8 a.m. if
477 there is no school; or
- 478 (B) if there is no school, the noncustodial parent is available to be with the minor
479 child, and in accommodation with the custodial parent's work schedule,
480 beginning on Friday at [9] 8 a.m. and ending on Monday upon delivering the
481 minor child to school or at 8 a.m. if there is no school;
- 482 (c) each holiday granted to the noncustodial parent in accordance with the holiday
483 schedule described in Subsection (15); and
- 484 (d) extended parent-time with the minor child when school is not in session for summer
485 break in accordance with Subsection (7).
- 486 (7)(a) For extended parent-time with the minor child under Subsection (6)(d) and at the
487 election of the noncustodial parent, the noncustodial parent is entitled up to four
488 weeks of parent-time with the minor child~~[, which may be consecutive,]~~ when school
489 is not in session for summer break, beginning at 8 a.m. on the first day and ending at
490 8:30 p.m. on the last day.
- 491 (b) For the four weeks of extended parent-time for a noncustodial parent under
492 Subsection (7)(a):
- 493 (i) two weeks~~[, which may be consecutive,]~~ shall be uninterrupted parent-time for the
494 noncustodial parent; and
- 495 (ii) two weeks~~[, which may be consecutive,]~~ may be interrupted by the custodial
496 parent for a weekday visit on the same day on which the noncustodial parent is
497 granted weekday day parent-time.
- 498 (c) A custodial parent is entitled to uninterrupted parent-time with the minor child for
499 two weeks~~[, which may be consecutive,]~~ when school is not in session for summer
500 break, beginning at 8 a.m. on the first day and ending at 8:30 p.m. on the last day.
- 501 (d) Extended parent-time described in this Subsection (7) must be consecutive, except
502 that the four weeks of extended parent-time for the noncustodial parent may be
503 divided into two 14-day separate periods that are not consecutive.

- 504 (8)(a) Each parent shall provide notification to the other parent of the parent's plans for
505 the exercise of parent-time for summer break under Subsection (7).
- 506 (b) For the notification requirement ~~[under]~~ described in Subsection (8)(a):
- 507 (i) in odd-numbered years:
- 508 (A) the noncustodial parent shall provide notice to the custodial parent by May 1;
509 and
- 510 (B) the custodial parent shall provide notice to the noncustodial parent by May 15;
511 and
- 512 (ii) in even-numbered years:
- 513 (A) the custodial parent shall provide notice to the noncustodial parent by May 1;
514 and
- 515 (B) the noncustodial parent shall provide notice to the custodial parent by May 15.
- 516 (c)(i) If a parent fails to provide a notification within the time periods described in
517 Subsection (8)(b), the complying parent may determine the schedule for summer
518 break for the noncomplying parent.
- 519 (ii) If both parents fail to provide notice within the time periods described in
520 Subsection (8)(b), the first parent to provide notice may determine the schedule
521 for summer break for that parent and the other parent.
- 522 (d) If a custodial parent intends to interrupt a noncustodial parent's parent-time under
523 Subsection (7)(b)(ii), the custodial parent shall provide notification to the
524 noncustodial parent of the intent to interrupt parent-time within 10 days after the day
525 on which the custodial parent receives notification of the noncustodial parent's plans
526 for the exercise of interrupted extended parent-time.
- 527 (9)(a) An election should be made by the noncustodial parent at the time of entry of the
528 divorce decree or court order, except that the election may be changed by mutual
529 agreement, court order, or by the noncustodial parent in the event of a change in the
530 minor child's schedule.
- 531 (b) An election by either parent concerning parent-time shall be made a part of the
532 decree and made a part of the parent-time order.
- 533 (10)(a) Changes may not be made to the parent-time schedule under this section, except
534 that if a conflict arises in the parent-time schedule, the following order of precedence
535 shall be applied when determining which parent is entitled to parent-time:
- 536 (i) the holiday schedule for Mother's Day or Father's Day under Subsection (15);
537 (ii) the holiday schedule for the minor child's birthday, unless a parent is exercising

538 uninterrupted extended parent-time under Subsection (7) and takes the minor child
 539 away from that parent's residence during the uninterrupted extended parent-time;
 540 (iii) the holiday schedule for any holiday under Subsection (15) that is not Father's
 541 Day, Mother's Day, or the minor child's birthday;
 542 (iv) extended parent-time under Subsection (7); and
 543 (v) the schedule for weekday or weekend parent-time.

544 (b) A parent exercising parent-time for the minor child's birthday may bring other
 545 siblings along for the minor child's birthday.

546 (11) A stepparent, grandparent, or other responsible adult designated by ~~[the noncustodial]~~ a
 547 parent, may pick up the minor child for parent-time if the ~~[custodial]~~ other parent is
 548 aware of the identity of the individual and the ~~[noncustodial]~~ parent will be with the
 549 minor child by 7 p.m.

550 (12) If a holiday falls on a regularly scheduled school day, the parent exercising parent-time
 551 shall be responsible for the minor child's attendance at school for that school day.

552 (13) If there is more than one minor child and the minor children's school schedules vary
 553 for purpose of a holiday, at the option of the parent exercising the holiday or the parent's
 554 half of the holiday, the minor children may remain together for the holiday period
 555 beginning the first evening that all minor children's schools are dismissed for the holiday
 556 and ending the evening before any minor child returns to school.

557 (14) If there is a minor child five to 18 years old and a minor child under five years old and
 558 both minor children are the children of the parties, the parents and the court should
 559 consider an upward deviation for parent-time with all the minor children so that
 560 parent-time is uniform based on a schedule under this section.

561 (15) The following table is the holiday schedule for parent-time under this section.

Holiday	Holiday Time Period	Years Noncustodial Parent is Granted Holiday	Years Custodial Parent is Granted Holiday
563 Dr. Martin Luther King Jr. Day	(1) Holiday begins [Friday at (a) 9 a.m. if school is not in session and the parent can be with the minor child; (b)] : <u>(a)</u> at the time that school is [regularly dismissed] <u>dismissed for Dr.</u> <u>Martin Luther King Jr. Day</u> ; or	Odd years	Even years

	<p>[(e) 6 p.m.] (b) Friday at 5:30 p.m. at the election of the parent granted the holiday.</p> <p>(2) Holiday ends[:</p> <p>(a)] upon delivering of the minor child to school on the day [following Dr. Martin Luther King Jr. Day; or</p> <p>(b) at 8 a.m. on the day following Dr. Martin Luther King Jr. Day if there is no school] <u>that school resumes.</u></p>		
<p>564</p>	<p>President's Day</p> <p>(1) Holiday begins[Friday at]:</p> <p>[(a) 9 a.m. if school is not in session and the parent can be with the minor child;</p> <p>(b)] (a) at the time that school is <u>dismissed for President's Day; or</u></p> <p>[(e)] [6] (b) Friday at 5:30 p.m. at the election of the parent granted the holiday.</p> <p>(2) Holiday ends[:</p> <p>(a)] upon delivering the minor child to school on the day [following President's Day; or</p> <p>(b) at 8 a.m. on the day following President's Day if there is no school] <u>that school resumes.</u></p>	<p>Even years</p>	<p>Odd years</p>
<p>565</p>	<p>Spring Break</p> <p>(1) Holiday begins at[-6] :</p> <p>(a) the time that school is dismissed for spring break; or (b) 5:30 p.m. on the day that school dismisses for spring break at the election of the parent granted the holiday.</p> <p>(2) Holiday ends:</p> <p>(a) upon delivering the minor child to school on the day [following the end of spring break; or</p>	<p>Odd years</p>	<p>Even years</p>

		(b) at 8 a.m. on the day following the end of spring break if there is no school] <u>that school resumes.</u>		
566	Memorial Day	(1) Holiday begins [Friday at]: [(a) 9 a.m. if school is not in session and the parent can be with the minor child; (b)] (a) <u>at the time that school is [regularly dismissed] dismissed for Memorial Day; or</u> [(e) 6] (b) <u>Friday at 5:30 p.m. at the election of the parent granted the holiday.</u> (2) Holiday ends: (a) upon delivering the minor child to school on the day following Memorial Day; or (b) at 8 a.m. on the day following Memorial Day if there is no school.	Even years	Odd years
567	Mother's Day	(1) Holiday begins [on Mother's Day at 9 a.m] <u>at 5:30 p.m. on the day before Mother's Day.</u> (2) Holiday ends on Mother's Day at [7] <u>8:30 p.m.</u>	All years if noncustodial parent is the mother or other parent designated in the order.	All years if custodial parent is the mother or other parent designated in the order.
568	Father's Day	(1) Holiday begins [on Father's Day at 9 a.m] <u>at 5:30 p.m. on the day before Father's Day.</u> (2) Holiday ends on Father's Day at [7] <u>8:30 p.m.</u>	All years if noncustodial parent is the father or other parent designated in the order.	All years if custodial parent is the father or other parent designated in the order.
569	Juneteenth National Freedom Day	(1) Holiday begins at: (a) [6] <u>5:30 p.m. on the day before Juneteenth National Freedom Day if the</u>	Even years	Odd years

		<p>day before Juneteenth National Freedom Day is not Father's Day; or</p> <p>(b) [9] 8 a.m. on Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is Father's Day.</p> <p>(2) Holiday ends at [6] 5:30 p.m. on the day following Juneteenth National Freedom Day.</p>		
570	Independence Day	<p>(1) Holiday begins on July 3rd at [6] 5:30 p.m.</p> <p>(2) Holiday ends on July 5th at [6] 8:30 p.m.</p>	Odd years	Even years
571	Pioneer Day	<p>(1) Holiday begins on July 23rd at [6] 5:30 p.m.</p> <p>(2) Holiday ends on July 25th at [6] 8:30 p.m.</p>	Even years	Odd years
572	Labor Day	<p>(1) Holiday begins[-Friday at]: [(a) 9 a.m. if school is not in session and the parent can be with the minor child; (b)] (a) at the time that school is [regularly dismissed] dismissed for Labor Day; or [(e) 6] (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends[: (a)] upon delivering the minor child to school on the day [following Labor Day; or (b) at 8 a.m. on the day following Labor Day if there is no school] that school resumes. </p>	Odd years	Even years
573	[Columbus Day	(1) Holiday begins at 6 p.m. on the day before Columbus Day.	Even years	Odd years]

		(2) Holiday ends at 7 p.m. on Columbus Day.		
574	Fall Break	(1) Holiday begins at [6 p.m. on the day school is dismissed for fall break] ; (a) the time that school is dismissed for fall break; or (b) 5:30 p.m. on the day that school is dismissed for fall break at the election of the parent granted the holiday. (2) Holiday ends[:(a)] upon delivering the minor child to school on the day [following the end of fall break; or (b) at 8 a.m. on the day following the end of fall break if there is no school] that school resumes.	Odd years	Even years
575	Halloween	(1) Holiday begins on October 31st or the day that Halloween is traditionally celebrated in the local community: (a) at the time that school is dismissed; or (b) at [4] 3 p.m. if there is no school. (2) Holiday ends at [9] 8:30 p.m. on the same day the holiday begins.	Even years	Odd years
576	[Veterans Day	(1) Holiday begins at 6 p.m. on the day before Veterans Day. (2) Holiday ends at 7 p.m. on Veterans Day.	Odd years	Even years]
577	Thanksgiving	(1) Holiday begins[on Wednesday] at: (a) [6 p.m.] the time that school is dismissed for Thanksgiving; or (b) [the time school is regularly] 5:30 p.m. on the day that school is dismissed	Even years	Odd years

	for Thanksgiving at the election of the parent granted the holiday. (2) Holiday ends[: (a)] upon delivering the minor child to school on the [Monday following Thanksgiving; or (b) at 8 a.m. on the Monday following Thanksgiving if there is no school] <u>day that school resumes.</u>		
578	Winter Break (First Half) (1) Holiday begins at: (a) [6 p.m. on the day] <u>the time that school dismisses for winter break; or</u> (b) [the time school is regularly dismissed] <u>5:30 p.m. on the day that school dismisses for winter break at the election of the parent granted the holiday.</u> (2) Holiday ends on December 27th at [7] <u>8:30 p.m.</u>	Odd years	Even years
579	Winter Break (Second Half) (1) Holiday begins on December 27th at [7] <u>8:30 p.m.</u> (2) Holiday ends upon delivering the minor child to school on the day that school resumes after the winter break.	Even years	Odd years
580	Day of Minor Child's Birthday (1) Holiday begins at 3 p.m. (2) Holiday ends at [9] <u>8:30 p.m.</u>	Even years	Odd years
581	Day Before or After Minor Child's Birthday (1) Holiday begins at 3 p.m. (2) Holiday ends at [9] <u>8:30 p.m.</u>	Odd years	Even years

582 Section 5. Section **81-9-304** is amended to read:

583 **81-9-304 . Minimum schedule for parent-time for a minor child under five years**

584 **old.**

585 (1) The parent-time schedule in this section applies to a minor child who is younger than
586 five years old.

- 587 (2) If the parties do not agree to a parent-time schedule, the schedules in Subsections (3)
588 through (8) are considered the minimum parent-time to which the noncustodial parent is
589 entitled to the minor child.
- 590 (3) For a minor child who is younger than five months old, the noncustodial parent is
591 entitled to:
- 592 (a) three two-hour visits every week; and
593 (b) two hours for each holiday granted to the noncustodial parent in the holiday schedule
594 under Subsection (15).
- 595 (4) For a minor child who is at least five months old but younger than nine months old, the
596 noncustodial parent is entitled to:
- 597 (a) three three-hour visits every week; and
598 (b) two hours for each holiday granted to the noncustodial parent in the holiday schedule
599 under Subsection (15).
- 600 (5) For a minor child who is at least nine months old but younger than 12 months old, the
601 noncustodial parent is entitled to:
- 602 (a) one eight-hour visit every week;
603 (b) one three-hour visit every week; and
604 (c) eight hours for each holiday granted to the noncustodial parent in accordance with
605 the holiday schedule under Subsection (15).
- 606 (6) For a minor child who is at least 12 months old but younger than 18 months old, the
607 noncustodial parent is entitled to:
- 608 (a) one three-hour visit every week;
609 ~~[(b) one eight-hour visit on alternating weekends to be specified by the noncustodial~~
610 ~~parent or court;]~~
- 611 ~~[(e) (b) [an overnight visit on opposite weekends from Subsection (6)(b)] beginning on~~
612 ~~the first weekend after the entry of the decree, alternating weekends beginning at [6]~~
613 ~~5:30 p.m. on Friday and ending [at noon on Saturday] on Sunday at 7:30 p.m.; and~~
614 ~~[(d) (c) eight hours for each holiday granted to the noncustodial parent in the holiday~~
615 ~~schedule under Subsection (15).~~
- 616 (7) For a minor child who is at least 18 months old but younger than three years old, the
617 noncustodial parent is entitled to:
- 618 (a) one weekday evening to be specified by the noncustodial parent or the court:
619 (i) beginning at 5:30 p.m. and ending at ~~[8:30]~~ 7:30 p.m.; or
620 (ii) if the minor child is being cared for during the day outside the minor child's

- 621 regular place of residence and with advance notice to the custodial parent,
 622 beginning at the time that the minor child is picked up from the caregiver and
 623 ending at ~~[8:30]~~ 7:30 p.m.;
- 624 (b) beginning on the first weekend after the entry of the decree, alternating weekends
 625 beginning at ~~[6]~~ 5:30 p.m. on Friday and ending at ~~[7]~~ 7:30 p.m. on Sunday;
- 626 (c) each holiday granted to the noncustodial parent in accordance with the holiday
 627 schedule described in Subsection (15); and
- 628 (d) extended parent-time for two one-week periods, separated by at least four weeks, at
 629 the option of the noncustodial parent, as follows:
- 630 (i) one week of uninterrupted parent-time for the noncustodial parent, beginning at 8
 631 a.m. on the first day and ending at 7:30 p.m. on the last day; and
- 632 (ii) one week of interrupted parent-time, beginning at 8 a.m. on the first day and
 633 ending at 7:30 p.m. on the last day, where the custodial parent may have an equal
 634 amount of weekday parent-time as the noncustodial parent on the same day on
 635 which the noncustodial parent is granted weekday parent-time under Subsection
 636 (7)(a).
- 637 (8)(a) For a minor child who is at least three years old but younger than five years old,
 638 the noncustodial parent is entitled to:
- 639 ~~[(a)]~~ (i) one weekday evening to be specified by the noncustodial parent or the court:
 640 ~~[(i)]~~ (A) beginning at 5:30 p.m. and ending at ~~[8:30]~~ 7:30 p.m.; or
 641 ~~[(ii)]~~ (B) if the minor child is being cared for during the day outside the minor
 642 child's regular place of residence and with advance notice to the custodial
 643 parent, beginning at the time that the minor child is picked up from the
 644 caregiver and ending at ~~[8:30]~~ 7:30 p.m.;
- 645 ~~[(b)]~~ (ii) beginning on the first weekend after the entry of the decree, alternating
 646 weekends beginning at ~~[6]~~ 5:30 p.m. on Friday and ending at ~~[7]~~ 7:30 p.m. on
 647 Sunday;
- 648 ~~[(c)]~~ (iii) each holiday granted to the noncustodial parent in accordance with the
 649 holiday schedule described in Subsection (15); and
- 650 ~~[(d)]~~ (iv) extended parent-time for two two-week periods, separated by at least four
 651 weeks, at the option of the noncustodial parent, as follows:
- 652 ~~[(i)]~~ (A) two weeks of uninterrupted parent-time~~[-which may be consecutive,]~~ for
 653 the noncustodial parent, beginning at 8 a.m. on the first day and ending at 7:30
 654 p.m. on the last day; and

655 [(ii)] (B) two weeks of interrupted parent-time~~[, which may be consecutive,]~~ ,
656 beginning at 8 a.m. on the first day and ending at 7:30 p.m. on the last day,
657 where the custodial parent may have an equal amount of weekday parent-time
658 as the noncustodial parent on the same day on which the noncustodial parent is
659 granted weekday parent-time under Subsection (8)(a)(i).

660 (9) For a minor child who is at least 18 months old but younger than five years old, the
661 custodial parent is entitled to one week of uninterrupted extended parent-time.

662 (10)(a) For a minor child who is nine months old or older, the noncustodial parent shall
663 have at least two times a week:

664 (i) brief telephone contact at reasonable hours and for a reasonable duration; and

665 (ii) virtual parent-time, if the equipment is reasonably available and the parents reside
666 at least 100 miles apart, at reasonable hours and for reasonable duration.

667 (b) If the parties cannot agree on whether the equipment is reasonably available, the
668 court shall decide whether the equipment for virtual parent-time is reasonably
669 available, taking into consideration:

670 (i) the best interests of the minor child;

671 (ii) each parent's ability to handle any additional expenses for virtual parent-time; and

672 (iii) any other factors the court considers material.

673 (c) Virtual parent-time supplements, but does not replace, in-person parent-time.

674 (11) For a minor child who is younger than nine months old, unless the parents agree
675 otherwise, parent-time should take place in the home of the custodial parent, an
676 established child-care setting, or other environment familiar to the minor child, at the
677 option of the noncustodial parent.

678 (12)(a) Changes may not be made to the parent-time schedule under this section, except
679 that if a conflict arises in the parent-time schedule, the following order of precedence
680 shall be applied when determining which parent is entitled to parent-time:

681 (i) the holiday schedule for Mother's Day or Father's Day under Subsection (15);

682 (ii) the holiday schedule for the minor child's birthday, unless a parent is exercising
683 uninterrupted extended parent-time under Subsection (7)(d), (8)(d), or (9) and
684 takes the minor child away from that parent's residence during the uninterrupted
685 extended parent-time;

686 (iii) the holiday schedule for any holiday under Subsection (15) that is not Father's
687 Day, Mother's Day, or the minor child's birthday;

688 (iv) extended parent-time under Subsection (7)(d), (8)(d), or (9); and

- 689 (v) the schedule for weekday or weekend parent-time.
- 690 (b) A parent exercising parent-time for the minor child's birthday may bring other
- 691 siblings along for the minor child's birthday.
- 692 (13) If a holiday falls on a regularly scheduled school day, the parent exercising parent-time
- 693 shall be responsible for the minor child's attendance at school for that school day.
- 694 (14) A parent shall notify the other parent at least 30 days in advance of the parent's plans
- 695 for the exercise of extended parent-time under Subsection (7)(d), (8)(d), or (9).
- 696 (15) The following table is the holiday schedule for parent-time under this section.

Holiday	Holiday Time Period	Years Noncustodial Parent is Granted Holiday	Years Custodial Parent is Granted Holiday
698 Dr. Martin Luther King Jr. Day	(1) Holiday begins on Friday at: (a) [9] 8 a.m. if the parent is available to be with the minor child; or (b) [6] 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at [7] 7:30 p.m. on Dr. Martin Luther King Jr. Day.	Odd years	Even years
699 President's Day	(1) Holiday begins on Friday at: (a) [9] 8 a.m. if the parent is available to be with the minor child; or (b) [6] 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at [7] 7:30 p.m. on President's Day.	Even years	Odd years
700 Spring Break	(1) Holiday begins at [6] 5:30 p.m. on the day that school dismisses for spring break. (2) Holiday ends at [7] 7:30 p.m. on the day before school resumes.	Odd years	Even years
701 Memorial Day	(1) Holiday begins on Friday at:	Even years	Odd years

		(a) [9] 8 a.m. if the parent is available to be with the minor child; or (b) [6] 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at [7] 7:30 p.m. on Memorial Day.		
702	Mother's Day	(1) Holiday begins [on Mother's Day at 9 a.m.] at 5:30 p.m. on the day before <u>Mother's Day</u> . (2) Holiday ends on Mother's Day at [7] 7:30 p.m.	All years if noncustodial parent is the mother or other parent designated in the order.	All years if custodial parent is the mother or other parent designated in the order.
703	Father's Day	(1) Holiday begins [on Father's Day at 9 a.m.] at 5:30 p.m. on the day before <u>Father's Day</u> . (2) Holiday ends on Father's Day at [7] 7:30 p.m.	All years if noncustodial parent is the father or other parent designated in the order.	All years if custodial parent is the father or other parent designated in the order.
704	Juneteenth National Freedom Day	(1) Holiday begins at: (a) [6] 5:30 p.m. on the day before Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is not Father's Day; or (b) [9] 8 a.m. on Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is Father's Day. (2) Holiday ends at [6] 7:30 p.m. on the day following Juneteenth National Freedom Day.	Even years	Odd years
705	Independence Day	(1) Holiday begins on July 3rd at [6] 5:30 p.m. (2) Holiday ends on July 5th at [6] 7:30 p.m.	Odd years	Even years

706	Pioneer Day	(1) Holiday begins on July 23rd at [6] <u>5:30</u> p.m. (2) Holiday ends on July 25th at [6] <u>7:30</u> p.m.	Even years	Odd years
707	Labor Day	(1) Holiday begins on Friday at: (a) [9] <u>8</u> a.m. if the parent is available to be with the minor child; or (b) [6] <u>5:30</u> p.m. at the election of the parent granted the holiday. (2) Holiday ends at [7] <u>7:30</u> p.m. on Labor Day.	Odd years	Even years
708	[Columbus Day]	(1) Holiday begins at 6 p.m. on the day before Columbus Day. (2) Holiday ends at 7 p.m. on Columbus Day.	Even years	Odd years]
709	Fall Break	(1) Holiday begins at [6] <u>5:30</u> p.m. on the day school is dismissed for fall break. (2) Holiday ends at [7] <u>7:30</u> p.m. on the day before school resumes.	Odd years	Even years
710	Halloween	(1) Holiday begins on October 31st or the day that Halloween is traditionally celebrated in the local community: (a) at the time that school is dismissed; or (b) at [4] <u>3</u> p.m. if there is no school. (2) Holiday ends at [9] <u>7:30</u> p.m. on the same day the holiday begins.	Even years	Odd years
711	[Veterans Day]	(1) Holiday begins at 6 p.m. on the day before Veterans Day. (2) Holiday ends at 7 p.m. on Veterans Day.	Odd years	Even years]

712	Thanksgiving	(1) Holiday begins at [6] <u>5:30</u> p.m. on the day that school dismisses for Thanksgiving. (2) Holiday ends at [7] <u>7:30</u> p.m. on day before school resumes.	Even years	Odd years
713	Winter Break (First Half)	(1) Holiday begins at [6] <u>5:30</u> p.m. on the day on that school dismisses for winter break. (2) Holiday ends on December 27th at [7] <u>7:30</u> p.m.	Odd years	Even years
714	Winter Break (Second Half)	(1) Holiday begins on December 27th at 7 p.m. (2) Holiday ends at [7] <u>7:30</u> p.m. on the day before school resumes.	Even years	Odd years
715	Day of Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at [9] <u>7:30</u> p.m.	Even years	Odd years
716	Day Before or After Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at [9] <u>7:30</u> p.m.	Odd years	Even years

717 Section 6. **Effective Date.**

718 This bill takes effect on May 7, 2025.