

HB0309S01 compared with HB0309

{Omitted text} shows text that was in HB0309 but was omitted in HB0309S01
inserted text shows text that was not in HB0309 but was inserted into HB0309S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

LONG TITLE

General Description:

This bill modifies the day on which Juneteenth National Freedom Day is recognized in Utah.

Highlighted Provisions:

This bill:

- provides that {June 19, called } Juneteenth National Freedom Day{, is a legal holiday } will be recognized in Utah{;} on the same day as the holiday is recognized by the federal government; and
- {consistent with other legal holidays in Utah, provides for recognition of Juneteenth National Freedom Day on the preceding Friday or subsequent Monday if the holiday falls on a Saturday or Sunday, respectively; and }

- amends parent-time schedules in relation to Juneteenth National Freedom Day.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

HB0309 compared with HB0309S01

16 **Utah Code Sections Affected:**

17 **AMENDS:**

18 **63G-1-301** , as repealed and reenacted by Laws of Utah 2025, Chapter 448

19 **81-9-302** , as renumbered and amended by Laws of Utah 2024, Chapter 366

20 **81-9-303** , as last amended by Laws of Utah 2025, Chapter 426

21 **81-9-304** , as renumbered and amended by Laws of Utah 2024, Chapter 366

22

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

23 Section 1. Section **63G-1-301** is amended to read:

24 **63G-1-301. Legal holidays -- Personal preference day -- Governor authorized to declare**
additional legal holidays.

25 (1) The following days are legal holidays in Utah:

26 (a) except as provided in Subsection [(2)(a) or (b)] (2):

27 (i) January 1, New Year's Day;

28 (ii) June 19, Juneteenth National Freedom Day;

29 [(iii)] (iii) July 4, Independence Day;

30 [(iv)] (iv) July 24, Pioneer Day;

31 [(v)] (v) November 11, Veterans Day;

32 [(vi)] (vi) December 25, Christmas; and

33 [(vii)] (vii) a day designated by proclamation issued by the president of the United States or the governor
as a day of fasting or thanksgiving;

34 (b)

35 (i) the first Sunday after the first full moon that occurs on or after the spring equinox, Easter Sunday;

36 (ii) the third Monday of January, Dr. Martin Luther King, Jr. Day;

37 (iii) the third Monday of February, Washington and Lincoln Day;

38 (iv) the last Monday of May, Memorial Day;

39 (v) the first Monday of September, Labor Day;

40 (vi) the second Monday of October, Columbus Day; and

41 (vii) the fourth Thursday of November, Thanksgiving Day; and

42 [(viii)] ~~except as provided in Subsection (2)(c) or (d), June 19, Juneteenth National Freedom Day; and]~~

43 (c) except as provided in Subsection (3), every Sunday.

HB0309 compared with HB0309S01

50 (2)

52 (a) If a day described in Subsection (1)(a) falls on a Saturday, the preceding Friday is the legal holiday.

54 (b) If a day described in Subsection (1)(a) falls on a Sunday, the following Monday is the legal holiday.

56 [(e) If June 19 falls on a Tuesday, Wednesday, Thursday, or Friday, the preceding Monday is the legal holiday.]

57 [(d) If June 19 falls on Saturday or Sunday, the following Monday is the legal holiday.]

59 (3) For purposes of Utah Constitution, Article VI, Section 16, Subsection (1), regarding the exclusion of state holidays from the 45-day legislative general session, Sunday is not considered a state holiday.

60 (4) Each employee may select one additional day, called Personal Preference Day, to be scheduled in accordance with rules made, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, by the Division of Human Resource Management, which the employee may use to observe a state holy day, as described in Section 63G-1-1101, or any other day the employee chooses to recognize.

65 (5)

67 (a) If, in the governor's opinion, extraordinary conditions exist justifying the action, the governor may:

69 (i) declare, by proclamation, legal holidays in addition to those legal holidays described in Subsections (1) and (2); or

71 (ii) limit the legal holidays described in Subsection (5)(a)(i) to certain classes of business and activities to be designated by the governor.

73 (b) Except as provided in Subsection (5)(c), a legal holiday described in Subsection (5)(a) may not extend for a longer period than 60 consecutive days.

74 (c) The governor may, by proclamation:

76 (i) renew a legal holiday described in Subsection (5)(a) for one or more periods not exceeding 30 days each as the governor determines necessary; or

76 (ii) terminate a legal holiday described under Subsection (5)(a) or (b) earlier than the time period described in a preceding proclamation.

76 Section 2. Section **81-9-302** is amended to read:

77 **81-9-302. Minimum schedule for parent-time for a minor child five to 18 years old.**

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

83

HB0309 compared with HB0309S01

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

86 (a)

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

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

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

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

96 (b)

(i) beginning on the first weekend after entry of the decree, alternating weekends beginning at 6 p.m. on Friday and ending on Sunday at 7 p.m.; or

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

100 (A) beginning at the time that the minor child's school is regularly dismissed on Friday and ending on Sunday at 7 p.m.; or

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

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

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

109 (3)

(a) For extended parent-time with the minor child under Subsection (2)(d) and at the election of the noncustodial parent, the noncustodial parent is entitled up to four weeks of parent-time with the minor child, which may be consecutive, when school is not in session for summer break.

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

HB0309 compared with HB0309S01

115 (i) two weeks, which may be consecutive, shall be uninterrupted parent-time for the noncustodial parent; and

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

120 (c) A custodial parent is entitled to uninterrupted parent-time with the minor child for two weeks, which may be consecutive, when school is not in session for summer break.

123 (4)

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

126 (b) For the notification requirement under Subsection (4)(a):

127 (i) in odd-numbered years:

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

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

131 (ii) in even-numbered years:

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

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

135 (c)

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

138 (ii) If both parents fail to provide notice within the time periods described in Subsection (4)(b), the first parent to provide notice may determine the schedule for summer break for the other parent.

141 (d) If a custodial parent intends to interrupt a noncustodial parent's parent-time under Subsection (3)(b)

142 (ii), the custodial parent shall provide notification to the noncustodial parent of the intent to interrupt parent-time within 10 days after the day on which the custodial parent receives notification of the noncustodial parent's plans for the exercise of interrupted extended parent-time.

146 (5)

147 (a) An election should be made by the noncustodial parent at the time of entry of the divorce decree or court order, except that the election may be changed by mutual agreement, court order, or by the noncustodial parent in the event of a change in the minor child's schedule.

150 (b) An election by either parent concerning parent-time shall be made a part of the decree and made a part of the parent-time order.

HB0309 compared with HB0309S01

152 (6)

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

155 (i) the holiday schedule for Mother's Day or Father's Day under Subsection (12);

156 (ii) the holiday schedule for the minor child's birthday, unless a parent is exercising uninterrupted extended parent-time under Subsection (3) and takes the minor child away from that parent's residence during the uninterrupted extended parent-time;

159 (iii) the holiday schedule for any holiday under Subsection (12) that is not Father's Day, Mother's Day, or the minor child's birthday;

161 (iv) extended parent-time under Subsection (3); and

162 (v) the schedule for weekday or weekend parent-time.

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

165 (7) A stepparent, grandparent, or other responsible adult designated by the noncustodial parent, may pick up the minor child for parent-time if the custodial parent is aware of the identity of the individual and the noncustodial parent will be with the minor child by 7 p.m.

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

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

176 (10)

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

177 (b)

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

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

HB0309 compared with HB0309S01

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

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

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

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

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

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

193	Holiday	Holiday Time Period	Years	Years Custodial
			Noncustodial	Parent is Granted Holiday
194	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 (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on Dr. Martin Luther King Jr. Day.	Odd years	Even years
195	President's 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 (c) 6 p.m. at the election of the parent granted the holiday.	Even years	Odd years

HB0309 compared with HB0309S01

		(2) Holiday ends at 7 p.m. on the day before school resumes.		
196	Spring Break	(1) Holiday begins at 6 p.m. on the day that school dismisses for spring break. (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd years	Even years
197	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) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on Memorial Day.	Even years	Odd years
198	Mother's Day	(1) Holiday begins on Mother's Day at 9 a.m. (2) Holiday ends on Mother's Day at 7 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.
199	Father's Day	(1) Holiday begins on Father's Day at 9 a.m. (2) Holiday ends on Father's Day at 7 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.

HB0309 compared with HB0309S01

			the holiday in the order.	
200	Juneteenth National Freedom Day	<p>[(1) Holiday begins at:</p> <p>(a) 6 p.m. on the day before Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is not Father's Day; or</p> <p>(b) 9 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 p.m. on the day following Juneteenth National Freedom Day.]</p> <p><u>(1) Holiday begins on June 18th at 7 p.m. and ends on June 20th at 7 p.m., if Father's Day is on a day other than June 19th or June 20th.</u></p> <p><u>(2) Holiday begins on June 18th at 7 p.m. and ends on June 20th at 9 a.m., if Father's Day is on June 20th.</u></p> <p><u>(3) Holiday begins on June 19th at 7 p.m. and ends on June 20th at 7 p.m., if Father's Day is on June 19th.</u></p>	Even years	Odd years
201	Independence Day	<p>(1) Holiday begins on July 3rd at 6 p.m.</p> <p>(2) Holiday ends on July 5th at 6 p.m.</p>	Odd years	Even years

HB0309 compared with HB0309S01

202	Pioneer Day	(1) Holiday begins on July 23rd at 6 p.m. (2) Holiday ends on July 25th at 6 p.m.	Even years	Odd years
203	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) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on Labor Day.	Odd years	Even years
204	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
205	Fall Break	(1) Holiday begins at 6 p.m. on the day school is dismissed for fall break. (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd years	Even years
206	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 p.m. if there is no school. (2) Holiday ends at 9 p.m. on the same day the holiday begins.	Even years	Odd years

HB0309 compared with HB0309S01

207	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
208	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. (2) Holiday ends at 7 p.m. on the day before school resumes.	Even years	Odd years
209	Winter Break (First Half)	(1) Holiday begins at: (a) 6 p.m. on the day on that school dismisses for winter break; or (b) the time school is regularly dismissed 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 p.m.	Odd years	Even years
210	Winter Break (Second Half)	(1) Holiday begins on December 27th at 7 p.m. (2) Holiday ends at 7 p.m. on the day before school resumes.	Even years	Odd years
211	Day of Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.	Even years	Odd years
212	Day Before or After Minor	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.	Odd years	Even years

HB0309 compared with HB0309S01

Child's
Birthday

211 Section 3. Section **81-9-303** is amended to read:

212 **81-9-303. Optional schedule for parent-time for a minor child five to 18 years old.**

216 (1)

218 (a) The optional parent-time schedule in this section applies to a minor child who is five to 18 years old.
219 (b) For purposes of calculating child support, the optional parent-time schedule in this section is 145
220 overnights.

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

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

224 (a) the noncustodial parent has been actively involved in the minor child's life;
225 (b) the parties can communicate effectively regarding the minor child or the noncustodial parent has a
226 plan to accomplish effective communications regarding the minor child;
227 (c) the noncustodial parent has the ability to facilitate the increased parent-time;
228 (d) the increased parent-time would be in the best interest of the minor child; and
229 (e) any other factor the court considers relevant.

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

232 (a) demonstrated responsibility in caring for the minor child;
233 (b) involvement in childcare;
234 (c) presence or volunteer efforts in the minor child's school and at extracurricular activities;
235 (d) assistance with the minor child's homework;
236 (e) involvement in preparation of meals, bath time, and bedtime for the minor child;
237 (f) bonding with the minor child; and
238 (g) any other factor the court considers relevant.

239 (4) In determining whether a noncustodial parent has the ability to facilitate the increased parent-time,
240 the court shall consider:

241 (a) the geographic distance between the residences of the parents and the distance between the parents'
242 residences and the minor child's school;
243 (b) the noncustodial parent's ability to assist with after school care;

HB0309 compared with HB0309S01

246 (c) the health of the minor child and the noncustodial parent in accordance with Subsection
81-9-204(4);

248 (d) flexibility of employment or another schedule of the noncustodial parent;

249 (e) ability to provide appropriate playtime with the minor child;

250 (f) history and ability of the noncustodial parent to implement a flexible schedule for the minor child;

252 (g) physical facilities of the noncustodial parent's residence; and

253 (h) any other factor the court considers relevant.

254 (5) If the parties agree or the court enters an order for the optional parent-time schedule under this
section, a parenting plan in compliance with Section 81-9-203 shall be filed with any order
incorporating the optional parent-time schedule described in Subsection (6).

258 (6) The following schedule is considered the optional parent-time to which the noncustodial parent is
entitled to the minor child:

260 (a)

261 (i) one weekday evening to be specified by the noncustodial parent or the court or Wednesday evening
if not specified, beginning at 5:30 p.m. and ending the following day upon delivering the minor
child to school or at 8 a.m. if there is no school; or

264 (ii) at the election of the noncustodial parent, one weekday specified by the noncustodial parent or the
court:

266 (A) beginning at the time the minor child's school is regularly dismissed until the following day upon
delivering the minor child to school or at 8 a.m. if there is no school; or

269 (B) if there is no school, the noncustodial parent is available to be with the minor child, and in
accommodation with the custodial parent's work schedule, beginning at 8 a.m. and ending on the
following day upon delivering the minor child to school or at 8 a.m. if there is no school;

273 (b)

274 (i) beginning the first weekend after the entry of the decree, alternating weekends beginning at 6 p.m.
on Friday and ending on Monday upon delivering the minor child to school or at 8 a.m. if there is no
school; or

276 (ii) at the election of the noncustodial parent, beginning the first weekend after the entry of the decree,
alternating weekends:

278 (A) beginning at the time the minor child's school is regularly dismissed on Friday and ending on
Monday upon delivering the minor child to school or at 8 a.m. if there is no school; or

HB0309 compared with HB0309S01

281 (B) if there is no school, the noncustodial parent is available to be with the minor child, and in
282 accommodation with the custodial parent's work schedule, beginning on Friday at 9 a.m. and ending
283 on Monday upon delivering the minor child to school or at 8 a.m. if there is no school;

285 (c) each holiday granted to the noncustodial parent in accordance with the holiday schedule described in
286 Subsection (15); and

287 (d) extended parent-time with the minor child when school is not in session for summer break in
288 accordance with Subsection (7).

289 (7)

290 (a) For extended parent-time with the minor child under Subsection (6)(d) and at the election of the
291 noncustodial parent, the noncustodial parent is entitled up to four weeks of parent-time with the
292 minor child, which may be consecutive, when school is not in session for summer break.

293 (b) For the four weeks of extended parent-time for a noncustodial parent under Subsection (7)(a):

294 (i) two weeks, which may be consecutive, shall be uninterrupted parent-time for the noncustodial
295 parent; and

296 (ii) two weeks, which may be consecutive, may be interrupted by the custodial parent for a weekday
297 visit on the same day on which the noncustodial parent is granted weekday day parent-time.

298 (c) A custodial parent is entitled to uninterrupted parent-time with the minor child for two weeks, which
299 may be consecutive, when school is not in session for summer break.

300 (8)

301 (a) Each parent shall provide notification to the other parent of the parent's plans for the exercise of
302 parent-time for summer break under Subsection (7).

303 (b) For the notification requirement under Subsection (8)(a):

304 (i) in odd-numbered years:

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

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

307 (ii) in even-numbered years:

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

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

310 (c)

311 (i) If a parent fails to provide a notification within the time periods described in Subsection (8)(b), the
312 complying parent may determine the schedule for summer break for the noncomplying parent.

HB0309 compared with HB0309S01

318 (ii) If both parents fail to provide notice within the time periods described in Subsection (8)(b), the first parent to provide notice may determine the schedule for summer break for the other parent.

321 (d) If a custodial parent intends to interrupt a noncustodial parent's parent-time under Subsection (7)(b) (ii), the custodial parent shall provide notification to the noncustodial parent of the intent to interrupt parent-time within 10 days after the day on which the custodial parent receives notification of the noncustodial parent's plans for the exercise of interrupted extended parent-time.

326 (9)

330 (a) An election should be made by the noncustodial parent at the time of entry of the divorce decree or court order, except that the election may be changed by mutual agreement, court order, or by the noncustodial parent in the event of a change in the minor child's schedule.

332 (b) An election by either parent concerning parent-time shall be made a part of the decree and made a part of the parent-time order.

335 (10)

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

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

342 (ii) the holiday schedule for the minor child's birthday, unless a parent is exercising uninterrupted extended parent-time under Subsection (7) and takes the minor child away from that parent's residence during the uninterrupted extended parent-time;

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

345 (iv) extended parent-time under Subsection (7); and

346 (v) the schedule for weekday or weekend parent-time.

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

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

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

HB0309 compared with HB0309S01

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

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

360 (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
361	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 (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends: (a) upon delivering of the minor child to school on the day following Dr. Martin Luther King Jr. Day; or (b) at 8 a.m. on the day following Dr. Martin Luther King Jr. Day if there is no school.	Odd years	Even years
363	President's Day	(1) Holiday begins Friday at:	Even years	Odd years

HB0309 compared with HB0309S01

		<ul style="list-style-type: none"> (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 (c) 6 p.m. at the election of the parent granted the holiday. <p>(2) Holiday ends:</p> <ul style="list-style-type: none"> (a) upon delivering the minor child to school on the day following President's Day; or (b) at 8 a.m. on the day following President's Day if there is no school. 		
364	Spring Break	<p>(1) Holiday begins at 6 p.m. on the day that school dismisses for spring break.</p> <p>(2) Holiday ends:</p> <ul style="list-style-type: none"> (a) upon delivering the minor child to school on the day following the end of spring break; or (b) at 8 a.m. on the day following the end of spring break if there is no school. 	Odd years	Even years
365	Memorial Day	<p>(1) Holiday begins Friday at:</p> <ul style="list-style-type: none"> (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 (c) 6 p.m. at the election of the parent granted the holiday. 	Even years	Odd years

HB0309 compared with HB0309S01

		<p>(2) Holiday ends:</p> <p>(a) upon delivering the minor child to school on the day following Memorial Day; or</p> <p>(b) at 8 a.m. on the day following Memorial Day if there is no school.</p>		
366	Mother's Day	<p>(1) Holiday begins on Mother's Day at 9 a.m.</p> <p>(2) Holiday ends on Mother's Day at 7 p.m.</p>	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.
367	Father's Day	<p>(1) Holiday begins on Father's Day at 9 a.m.</p> <p>(2) Holiday ends on Father's Day at 7 p.m.</p>	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.
368	Juneteenth National Freedom Day	<p>(1) Holiday begins at:</p> <p>(a) 6 p.m. on the day before Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is not Father's Day; or</p> <p>(b) 9 a.m. on Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is Father's Day.</p>	Even years	Odd years

HB0309 compared with HB0309S01

		<p>(2) Holiday ends at 6 p.m. on the day following Juneteenth National Freedom Day.]</p> <p>(1) Holiday begins on June 18th at 7 p.m. and ends on June 20th at 7 p.m., if Father's Day is on a day other than June 19th or June 20th.</p> <p>(2) Holiday begins on June 18th at 7 p.m. and ends on June 20th at 9 a.m., if Father's Day is on June 20th.</p> <p>(3) Holiday begins on June 19th at 7 p.m. and ends on June 20th at 7 p.m., if Father's Day is on June 19th.</p>		
369	Independence Day	<p>(1) Holiday begins on July 3rd at 6 p.m.</p> <p>(2) Holiday ends on July 5th at 6 p.m.</p>	Odd years	Even years
370	Pioneer Day	<p>(1) Holiday begins on July 23rd at 6 p.m.</p> <p>(2) Holiday ends on July 25th at 6 p.m.</p>	Even years	Odd years
371	Labor Day	<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) the time that school is regularly dismissed; or</p> <p>(c) 6 p.m. at the election of the parent granted the holiday.</p> <p>(2) Holiday ends:</p>	Odd years	Even years

HB0309 compared with HB0309S01

		<ul style="list-style-type: none"> (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. 		
372	Columbus Day	<ul style="list-style-type: none"> (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
373	Fall Break	<ul style="list-style-type: none"> (1) Holiday begins at 6 p.m. on the day school is dismissed for fall break. (2) Holiday ends: <ul style="list-style-type: none"> (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. 	Odd years	Even years
374	Halloween	<ul style="list-style-type: none"> (1) Holiday begins on October 31st or the day that Halloween is traditionally celebrated in the local community: <ul style="list-style-type: none"> (a) at the time that school is dismissed; or (b) at 4 p.m. if there is no school. (2) Holiday ends at 9 p.m. on the same day the holiday begins. 	Even years	Odd years
375	Veterans Day	<ul style="list-style-type: none"> (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

HB0309 compared with HB0309S01

376	Thanksgiving	<p>(1) Holiday begins on Wednesday at:</p> <p>(a) 6 p.m.; or</p> <p>(b) the time school is regularly dismissed for Thanksgiving 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 Monday following Thanksgiving; or</p> <p>(b) at 8 a.m. on the Monday following Thanksgiving if there is no school.</p>	Even years	Odd years
377	Winter Break (First Half)	<p>(1) Holiday begins at:</p> <p>(a) 6 p.m. on the day that school dismisses for winter break; or</p> <p>(b) the time school is regularly dismissed on the day that school dismisses for winter break at the election of the parent granted the holiday.</p> <p>(2) Holiday ends on December 27th at 7 p.m.</p>	Odd years	Even years
378	Winter Break (Second Half)	<p>(1) Holiday begins on December 27th at 7 p.m.</p> <p>(2) Holiday ends upon delivering the minor child to school on the day that school resumes after the winter break.</p>	Even years	Odd years

HB0309 compared with HB0309S01

379	Day of Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.	Even years	Odd years
380	Day Before or After Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.	Odd years	Even years

379 Section 4. Section **81-9-304** is amended to read:

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

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

(2) If the parties do not agree to a parent-time schedule, the schedules in Subsections (3) through (8) are considered the minimum parent-time to which the noncustodial parent is entitled to the minor child.

(3) For a minor child who is younger than five months old, the noncustodial parent is entitled to:

(a) three two-hour visits every week; and

(b) two hours for each holiday granted to the noncustodial parent in the holiday schedule under Subsection (15).

(4) For a minor child who is at least five months old but younger than nine months old, the noncustodial parent is entitled to:

(a) three three-hour visits every week; and

(b) two hours for each holiday granted to the noncustodial parent in the holiday schedule under Subsection (15).

(5) For a minor child who is at least nine months old but younger than 12 months old, the noncustodial parent is entitled to:

(a) one eight-hour visit every week;

(b) one three-hour visit every week; and

(c) eight hours for each holiday granted to the noncustodial parent in accordance with the holiday schedule under Subsection (15).

(6) For a minor child who is at least 12 months old but younger than 18 months old, the noncustodial parent is entitled to:

(a) one three-hour visit every week;

(b) one eight-hour visit on alternating weekends to be specified by the noncustodial parent or court;

HB0309 compared with HB0309S01

410 (c) an overnight visit on opposite weekends from Subsection (6)(b) beginning at 6 p.m. on Friday and
411 ending at noon on Saturday; and

412 (d) eight hours for each holiday granted to the noncustodial parent in the holiday schedule under
413 Subsection (15).

414 (7) For a minor child who is at least 18 months old but younger than three years old, the noncustodial
415 parent is entitled to:

416 (a) one weekday evening to be specified by the noncustodial parent or the court:

417 (i) beginning at 5:30 p.m. and ending at 8:30 p.m.; or

418 (ii) if the minor child is being cared for during the day outside the minor child's regular place of
419 residence and with advance notice to the custodial parent, beginning at the time that the minor child
420 is picked up from the caregiver and ending at 8:30 p.m.;

421 (b) beginning on the first weekend after the entry of the decree, alternating weekends beginning at 6
422 p.m. on Friday and ending at 7 p.m. on Sunday;

423 (c) each holiday granted to the noncustodial parent in accordance with the holiday schedule described in
424 Subsection (15); and

425 (d) extended parent-time for two one-week periods, separated by at least four weeks, at the option of the
426 noncustodial parent, as follows:

427 (i) one week of uninterrupted parent-time for the noncustodial parent; and

428 (ii) one week of interrupted parent-time where the custodial parent may have an equal amount of
429 weekday parent-time as the noncustodial parent on the same day on which the noncustodial parent is
430 granted weekday parent-time under Subsection (7)(a).

431 (8) For a minor child who is at least three years old but younger than five years old, the noncustodial
432 parent is entitled to:

433 (a) one weekday evening to be specified by the noncustodial parent or the court:

434 (i) beginning at 5:30 p.m. and ending at 8:30 p.m.; or

435 (ii) if the minor child is being cared for during the day outside the minor child's regular place of
436 residence and with advance notice to the custodial parent, beginning at the time that the minor child
437 is picked up from the caregiver and ending at 8:30 p.m.;

438 (b) beginning on the first weekend after the entry of the decree, alternating weekends beginning at 6
439 p.m. on Friday and ending at 7 p.m. on Sunday;

440

HB0309 compared with HB0309S01

- (c) each holiday granted to the noncustodial parent in accordance with the holiday schedule described in Subsection (15); and
- (d) extended parent-time for two two-week periods, separated by at least four weeks, at the option of the noncustodial parent, as follows:
 - (i) two weeks of uninterrupted parent-time, which may be consecutive, for the noncustodial parent; and
 - (ii) two weeks of interrupted parent-time, which may be consecutive, where the custodial parent may have an equal amount of weekday parent-time as the noncustodial parent on the same day on which the noncustodial parent is granted weekday parent-time under Subsection (8)(a).

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

(10)

- (a) For a minor child who is nine months old or older, the noncustodial parent shall have at least two times a week:
 - (i) brief telephone contact at reasonable hours and for a reasonable duration; and
 - (ii) virtual parent-time, if the equipment is reasonably available and the parents reside at least 100 miles apart, at reasonable hours and for reasonable duration.
- (b) If the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration:
 - (i) the best interests of the minor child;
 - (ii) each parent's ability to handle any additional expenses for virtual parent-time; and
 - (iii) any other factors the court considers material.
- (c) Virtual parent-time supplements, but does not replace, in-person parent-time.

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

(12)

- (a) Changes may not be made to the parent-time schedule under this section, except that if a conflict arises in the parent-time schedule, the following order of precedence shall be applied when determining which parent is entitled to parent-time:
 - (i) the holiday schedule for Mother's Day or Father's Day under Subsection (15);

HB0309 compared with HB0309S01

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

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

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

481 (v) the schedule for weekday or weekend parent-time.

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

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

486 (14) A parent shall notify the other parent at least 30 days in advance of the parent's plans for the exercise of extended parent-time under Subsection (7)(d), (8)(d), or (9).

488 (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
489	Dr. Martin Luther King Jr. Day	(1) Holiday begins on Friday at:(a) 9 a.m. if the parent is available to be with the minor child; or (b) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on Dr. Martin Luther King Jr. Day.	Odd years	Even years
490	President's Day	(1) Holiday begins on Friday at: (a) 9 a.m. if the parent is available to be with the minor child; or (b) 6 p.m. at the election of the parent granted the holiday.	Even years	Odd years

HB0309 compared with HB0309S01

		(2) Holiday ends at 7 p.m. on President's Day.		
492	Spring Break	(1) Holiday begins at 6 p.m. on the day that school dismisses for spring break. (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd years	Even years
493	Memorial Day	(1) Holiday begins on Friday at: (a) 9 a.m. if the parent is available to be with the minor child; or (b) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on Memorial Day.	Even years	Odd years
494	Mother's Day	(1) Holiday begins on Mother's Day at 9 a.m. (2) Holiday ends on Mother's Day at 7 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.
495	Father's Day	(1) Holiday begins on Father's Day at 9 a.m. (2) Holiday ends on Father's Day at 7 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.
496	Juneteenth National Freedom Day	(1) Holiday begins at: (a) 6 p.m. on the day before Juneteenth National Freedom Day if	Even years	Odd years

HB0309 compared with HB0309S01

		<p>the day before Juneteenth National Freedom Day is not Father's Day; or</p> <p>(b) 9 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 p.m. on the day following Juneteenth National Freedom Day.]</p> <p>(1) <u>Holiday begins on June 18th at 7 p.m. and ends on June 20th at 7 p.m., if Father's Day is on a day other than June 19th or June 20th.</u></p> <p>(2) <u>Holiday begins on June 18th at 7 p.m. and ends on June 20th at 9 a.m., if Father's Day is on June 20th.</u></p> <p>(3) <u>Holiday begins on June 19th at 7 p.m. and ends on June 20th at 7 p.m., if Father's Day is on June 19th.</u></p>		
497	Independence Day	<p>(1) Holiday begins on July 3rd at 6 p.m.</p> <p>(2) Holiday ends on July 5th at 6 p.m.</p>	Odd years	Even years
498	Pioneer Day	<p>(1) Holiday begins on July 23rd at 6 p.m.</p> <p>(2) Holiday ends on July 25th at 6 p.m.</p>	Even years	Odd years
499	Labor Day	<p>(1) Holiday begins on Friday at:</p> <p>(a) 9 a.m. if the parent is available to be with the minor child; or</p> <p>(b) 6 p.m. at the election of the parent granted the holiday.</p>	Odd years	Even years

HB0309 compared with HB0309S01

		(2) Holiday ends at 7 p.m. on Labor Day.		
500	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
501	Fall Break	(1) Holiday begins at 6 p.m. on the day school is dismissed for fall break. (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd years	Even years
502	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 p.m. if there is no school. (2) Holiday ends at 9 p.m. on the same day the holiday begins.	Even years	Odd years
503	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
504	Thanksgiving	(1) Holiday begins at 6 p.m. on the day that school dismisses for Thanksgiving. (2) Holiday ends at 7 p.m. on day before school resumes.	Even years	Odd years
505	Winter Break (First Half)	(1) Holiday begins at 6 p.m. on the day on that school dismisses for winter break.	Odd years	Even years

HB0309 compared with HB0309S01

		(2) Holiday ends on December 27th at 7 p.m.		
506	Winter Break (Second Half)	(1) Holiday begins on December 27th at 7 p.m. (2) Holiday ends at 7 p.m. on the day before school resumes.	Even years	Odd years
507	Day of Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.	Even years	Odd years
508	Day Before or After Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.	Odd years	Even years

507

Section 5. **Effective date.**

Effective Date.

This bill takes effect on January 1, 2027.

1-29-26 3:06 PM