

90 (v) whether the recipient spouse has custody of minor children requiring support ~~H→~~ , **and**
 90a **if so, whether the payor has the ability to provide sufficient support to allow the recipient**
 90b **spouse to be in the home to supervise and care for the minor children when they are not in**
 90c **school** ~~←H~~ ;

91 (vi) whether the recipient spouse worked in a business owned or operated by the payor
 92 spouse; [~~and~~]

93 (vii) whether the recipient spouse directly contributed to any increase in the payor
 94 spouse's skill by paying for education received by the payor spouse or allowing the payor
 95 spouse to attend school during the marriage; ~~H→~~ [~~and~~] ~~←H~~

96 (viii) whether the recipient spouse ~~H→~~ **[did not work outside the home, and should continue**
 97 **to stay at home, while there are preschool age children in the home]** **sacrificed a full time career to**
 97a **provide full time care of minor children and the parties' household during the marriage; and**

97b **(ix) whether either of the parties wilfully engaged in behavior during the marriage**
 97c **which is known to unilaterally compromise a marital contract and jeopardize the health,**
 97d **safety, or financial stability of the other party or their children, including:**

97e **(A) sexual relations outside of the marriage;**

97f **(B) documented long-term or severe short-term physical abuse of the spouse or**
 97g **children;**

97h **(C) documented long-term addictions to alcohol, drugs, gambling, or pornography; and**

97i **(D) criminal behavior** ~~←H~~ .

98 (b) The court may consider the fault of the parties in determining alimony.

99 (c) As a general rule, the court should look to the standard of living, existing at the
 100 time of separation, in determining alimony in accordance with Subsection (8)(a). However, the
 101 court shall consider all relevant facts and equitable principles and may, in its discretion, base
 102 alimony on the standard of living that existed at the time of trial. In marriages of short
 103 duration, when no children have been conceived or born during the marriage, the court may
 104 consider the standard of living that existed at the time of the marriage.

105 (d) The court may, under appropriate circumstances, attempt to equalize the parties'
 106 respective standards of living.

107 (e) When a marriage of long duration dissolves on the threshold of a major change in
 108 the income of one of the spouses due to the collective efforts of both, that change shall be
 109 considered in dividing the marital property and in determining the amount of alimony. If one
 110 spouse's earning capacity has been greatly enhanced through the efforts of both spouses during
 111 the marriage, the court may make a compensating adjustment in dividing the marital property

183 (14) Each parent shall permit and encourage, during reasonable hours, reasonable and
184 uncensored communications with the child, in the form of mail privileges and virtual
185 parent-time if the equipment is reasonably available, provided that if the parties cannot agree
186 on whether the equipment is reasonably available, the court shall decide whether the equipment
187 for virtual parent-time is reasonably available, taking into consideration:

- 188 (a) the best interests of the child;
189 (b) each parent's ability to handle any additional expenses for virtual parent-time; and
190 (c) any other factors the court considers material.

191 (15) Parental care shall be presumed to be better care for the child than surrogate care
192 and the court shall encourage the parties to cooperate in allowing the noncustodial parent, if
193 willing and able to transport the children, to provide the child care. Child care arrangements
194 existing during the marriage are preferred as are child care arrangements with nominal or no
195 charge.

196 (16) Each parent shall provide all surrogate care providers with the name, current
197 address, and telephone number of the other parent and shall provide the noncustodial parent
198 with the name, current address, and telephone number of all surrogate care providers unless the
199 court for good cause orders otherwise.

200 (17) Each parent shall be entitled to an equal division of major religious holidays
201 celebrated by the parents, and the parent who celebrates a religious holiday that the other parent
202 does not celebrate shall have the right to be together with the child on the religious holiday.

203 ~~H→ [Major religious holidays may include those days celebrated by a particular religion outside of~~
204 ~~days on which the government has declared a holiday.] ←H~~

205 (18) If the child is on a different parent-time schedule than a sibling, based on Sections
206 30-3-35 and 30-3-35.5, the parents should consider if an upward deviation for parent-time with
207 all the minor children so that parent-time is uniform between school aged and nonschool aged
208 children, is appropriate.

209 Section 3. Section **30-3-34** is amended to read:

210 **30-3-34. Best interests -- Rebuttable presumption.**

211 (1) If the parties are unable to agree on a parent-time schedule, the court may establish
212 a parent-time schedule consistent with the best interests of the child.

213 (2) The advisory guidelines as provided in Section 30-3-33 and the parent-time