

769 (i) the disability significantly or substantially inhibits the parent's ability to provide for
770 the physical and emotional needs of the child at issue; and

771 (ii) the parent with a disability lacks sufficient human, monetary, or other resources
772 available to supplement the parent's ability to provide for the physical and emotional needs of
773 the child at issue.

774 (c) Nothing in this section may be construed to apply to adoption proceedings under
775 Title 78B, Chapter 6, Part 1, Utah Adoption Act.

776 (5) This section establishes neither a preference nor a presumption for or against joint
777 physical custody or sole physical custody, but allows the court and the family the widest
778 discretion to choose a parenting plan that is in the best interest of the child.

779 (6) When an issue before the court involves custodial responsibility in the event of a
780 deployment of one or both parents who are servicemembers, and the servicemember has not yet
781 been notified of deployment, the court shall resolve the issue based on the standards in Sections
782 78B-20-306 through 78B-20-309.

783 (7) In considering the past conduct and demonstrated moral standards of each party
784 under Subsection (1)(a)(i) or any other factor a court finds relevant, the court may not
785 discriminate against a parent because of or otherwise consider the parent's:

786 (a) lawful possession or use of cannabis in a medicinal dosage form, a cannabis
787 product in a medicinal dosage form, or a medical cannabis device, in accordance with Title 26,
788 Chapter 61a, Utah Medical Cannabis Act ~~§~~→ [f] , **except as it relates to that parent's ability to**
788a **care for**

789 **a child** [f] ~~←§~~ ; or

790 (b) status as a:

791 (i) cannabis production establishment agent, as that term is defined in Section
792 4-41a-102;

793 (ii) medical cannabis pharmacy agent, as that term is defined in Section 26-61a-102;

794 (iii) state central fill agent, as that term is defined in Section 26-61a-102; or

795 (iv) medical cannabis cardholder in accordance with Title 26, Chapter 61a, Utah
796 Medical Cannabis Act.

797 Section 10. Section **31A-15-103** is amended to read:

798 **31A-15-103. Surplus lines insurance -- Unauthorized insurers.**

799 (1) Notwithstanding Section 31A-15-102, when this state is the home state as defined