



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 19, 2004

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit:

**House File 22**, an Act relating to the awarding of joint physical care of a child.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Vilsack".

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 22

AN ACT

RELATING TO THE AWARDING OF JOINT PHYSICAL CARE OF A CHILD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 598.41, subsection 5, Code 2003, is amended to read as follows:


5. a. ~~Joint-physical-care-may-be-in-the-best-interest-of the-child,-but~~ If joint legal custody does-not-require is awarded to both parents, the court may award joint physical care.--When-the-court-determines-such-action-would-be-in-the best-interest-of-the-child-and-would-preserve-the-relationship between-each-parent-and-the-child,-joint-physical-care-may-be awarded to both joint custodial parents or-physical-care-may be-awarded-to-one-joint-custodial-parent upon the request of either parent. If the court denies the request for joint physical care, the determination shall be accompanied by specific findings of fact and conclusions of law that the awarding of joint physical care is not in the best interest of the child.

b. If joint physical care is not awarded under paragraph "a", and only one joint custodial parent is awarded physical care, the parent responsible for providing physical care shall support the other parent's relationship with the child. Physical care awarded to one parent does not affect the other parent's rights and responsibilities as a joint legal custodian of the child. Rights and responsibilities as joint legal custodian of the child include, but are not limited to,

equal participation in decisions affecting the child's legal status, medical care, education, extracurricular activities, and religious instruction.



CHRISTOPHER C. RANTS  
Speaker of the House



JEFFREY M. LAMBERTI  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 22, Eightieth General Assembly.



MARGARET THOMSON  
Chief Clerk of the House

Approved May 19, 2004



THOMAS J. VILSACK  
Governor