

FILED JAN 12 2000

SENATE FILE 2021

BY HAMMOND

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the criteria used in awarding physical custody
2 or physical care of a child.

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

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SF 2021 HUMAN RESOURCES

1 Section 1. Section 598.41, Code Supplement 1999, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 4A. If both parents are deemed by the
4 court to be capable of adequately providing for the routine
5 care of the child, the court, in ordering the award of custody
6 or physical care, shall give primary consideration to the
7 historical performance, by a parent, of parenting functions
8 relating to the routine care of the child without regard to
9 the income or income source of that parent.

10 EXPLANATION

11 This bill provides that if both parents are deemed by the
12 court to be capable of adequately providing for the routine
13 care of the child, the court, in awarding custody or physical
14 care of a child, is to give primary consideration to the
15 historical performance, by a parent, of parenting functions
16 relating to the routine care of the child. In this
17 determination, the court is directed to disregard the income
18 or income source of that parent.

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