

House File 932 - Reprinted

HOUSE FILE 932
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 300)

(As Amended and Passed by the House March 27, 2025)

A BILL FOR

1 An Act relating to requirements for a parent to obtain joint
2 physical custody of a child.

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

unofficial

1 Section 1. Section 598.41, subsection 5, Code 2025, is
2 amended to read as follows:

3 5. a. (1) If joint legal custody is awarded to both
4 parents, the court may award joint physical care to both joint
5 custodial parents upon the request of either parent. Prior to
6 ruling on the request for the award of joint physical care,
7 the court ~~may~~ shall require the parents to submit, either
8 individually or jointly, a proposed joint physical care parenting
9 plan. A proposed joint physical care parenting plan shall
10 address how the parents will make decisions affecting the child,
11 how the parents will provide a home for the child, how the
12 child's time will be divided between the parents and how each
13 parent will facilitate the child's time with the other parent,
14 arrangements in addition to court-ordered child support for the
15 child's expenses, how the parents will resolve major changes or
16 disagreements affecting the child including changes that arise
17 due to the child's age and developmental needs, and any other
18 issues the court may require.

19 (2) If the court denies the request for joint physical care,
20 the determination shall be accompanied by specific findings of
21 fact and conclusions of law that the awarding of joint physical
22 care is not in the best interest of the child, and list the
23 requirements the parent who was not awarded physical care of
24 a child must meet to be awarded joint physical care of the
25 child in the future. A parent's fulfillment of the requirements
26 listed by a court under this subparagraph shall be considered a
27 material and substantial change in circumstances for the purposes
28 of modifying an order awarding child custody.

29 (3) The court, at the court's discretion and based on the
30 totality of circumstances, may deny a parent's request to modify
31 an order awarding child custody after the parent fulfills the
32 requirements listed by a court under subparagraph (2), provided
33 that the court makes a determination that an award of joint
34 custody is not in the best interest of the child. If the
35 court makes such a determination, the determination shall be

1 accompanied by specific findings of fact and conclusions of law
2 supporting the determination.

3 b. If joint physical care is not awarded under paragraph "a",
4 and only one joint custodial parent is awarded physical care,
5 the parent responsible for providing physical care shall support
6 the other parent's relationship with the child. Physical care
7 awarded to one parent does not affect the other parent's rights
8 and responsibilities as a joint legal custodian of the child.
9 Rights and responsibilities as joint legal custodian of the child
10 include but are not limited to equal participation in decisions
11 affecting the child's legal status, medical care, education,
12 extracurricular activities, and religious instruction. A parent
13 awarded physical care of a child shall not intentionally impede
14 the other parent from fulfilling requirements listed by a court
15 under paragraph "a", subparagraph (2).