



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4077

Introduced 10/15/2025, by Rep. Rick Ryan

SYNOPSIS AS INTRODUCED:

750 ILCS 5/602.7

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that when a child with a disability that substantially impairs the child's ability to make independent decisions regarding parental relationships reaches the age of majority, the court may allocate parenting time by considering the specified factors as modified by the child's capacity's and expressed preferences.

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1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 602.7 as follows:

6 (750 ILCS 5/602.7)

7 Sec. 602.7. Allocation of parental responsibilities:
8 parenting time.

9 (a) Best interests. The court shall allocate parenting
10 time according to the child's best interests.

11 (b) Allocation of parenting time. Unless the parents
12 present a mutually agreed written parenting plan and that plan
13 is approved by the court, the court shall allocate parenting
14 time. It is presumed both parents are fit and the court shall
15 not place any restrictions on parenting time as defined in
16 Section 600 and described in Section 603.10, unless it finds
17 by a preponderance of the evidence that a parent's exercise of
18 parenting time would seriously endanger the child's physical,
19 mental, moral, or emotional health.

20 In determining the child's best interests for purposes of
21 allocating parenting time, the court shall consider all
22 relevant factors, including, without limitation, the
23 following:

1 (1) the wishes of each parent seeking parenting time;

2 (2) the wishes of the child, taking into account the
3 child's maturity and ability to express reasoned and
4 independent preferences as to parenting time;

5 (3) the amount of time each parent spent performing
6 caretaking functions with respect to the child in the 24
7 months preceding the filing of any petition for allocation
8 of parental responsibilities or, if the child is under 2
9 years of age, since the child's birth;

10 (4) any prior agreement or course of conduct between
11 the parents relating to caretaking functions with respect
12 to the child;

13 (5) the interaction and interrelationship of the child
14 with his or her parents and siblings and with any other
15 person who may significantly affect the child's best
16 interests;

17 (6) the child's adjustment to his or her home, school,
18 and community;

19 (7) the mental and physical health of all individuals
20 involved;

21 (8) the child's needs;

22 (9) the distance between the parents' residences, the
23 cost and difficulty of transporting the child, each
24 parent's and the child's daily schedules, and the ability
25 of the parents to cooperate in the arrangement;

26 (10) whether a restriction on parenting time is

1 appropriate;

2 (11) the physical violence or threat of physical
3 violence by the child's parent directed against the child
4 or other member of the child's household;

5 (12) the willingness and ability of each parent to
6 place the needs of the child ahead of his or her own needs;

7 (13) the willingness and ability of each parent to
8 facilitate and encourage a close and continuing
9 relationship between the other parent and the child;

10 (14) the occurrence of abuse against the child or
11 other member of the child's household;

12 (15) whether one of the parents is a convicted sex
13 offender or lives with a convicted sex offender and, if
14 so, the exact nature of the offense and what if any
15 treatment the offender has successfully participated in;
16 the parties are entitled to a hearing on the issues raised
17 in this paragraph (15);

18 (16) the terms of a parent's military family-care plan
19 that a parent must complete before deployment if a parent
20 is a member of the United States Armed Forces who is being
21 deployed; and

22 (17) any other factor that the court expressly finds
23 to be relevant.

24 (c) In allocating parenting time, the court shall not
25 consider conduct of a parent that does not affect that
26 parent's relationship to the child.

1 (d) Upon motion, the court may allow a parent who is
2 deployed or who has orders to be deployed as a member of the
3 United States Armed Forces to designate a person known to the
4 child to exercise reasonable substitute visitation on behalf
5 of the deployed parent, if the court determines that
6 substitute visitation is in the best interests of the child.
7 In determining whether substitute visitation is in the best
8 interests of the child, the court shall consider all of the
9 relevant factors listed in subsection (b) of this Section and
10 apply those factors to the person designated as a substitute
11 for the deployed parent for visitation purposes. Visitation
12 orders entered under this subsection are subject to
13 subsections (e) and (f) of Section 602.9 and subsections (c)
14 and (d) of Section 603.10.

15 (e) If the street address of a parent is not identified
16 pursuant to Section 708 of this Act, the court shall require
17 the parties to identify reasonable alternative arrangements
18 for parenting time by the other parent including, but not
19 limited to, parenting time of the minor child at the residence
20 of another person or at a local public or private facility.

21 (f) When a child with a disability that substantially
22 impairs the child's ability to make independent decisions
23 regarding parental relationships reaches the age of majority,
24 the court may allocate parenting time by considering the
25 factors in subsection (b) as modified by the child's
26 capacity's and expressed preferences.

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1 (Source: P.A. 99-90, eff. 1-1-16.)