

**9055.0040 CALCULATION OF INCOME; EFFECT OF COURT-ORDERED CHILD SUPPORT PAYMENTS.**

Subpart 1. **Inclusion in calculation.** Court-ordered child support payments, whether received or paid by the applicant's household, must be included in the calculation of household income and assets unless the applicant specifically asks that they not be included in the calculation of household income as outlined in this part.

Subp. 2. **Child support payments received.** Child support payments received by the applicant's household must be included in the calculation of income and assets if the child for whom support is received is included in the total number of members of the applicant's household for whom assistance is sought under the state soldiers assistance program. Child support payments under this calculation are considered available to the entire household.

Subp. 3. **Child support payments disregarded.** An applicant may elect not to include a child for whom support is received and who is a member of the applicant's household in the computation of the total number of members of the applicant's household. If the child is excluded from this computation, child support for payments for that child must also be excluded from the calculation of household income and assets.

Subp. 4. **Child support payments excluded.** An applicant for the state soldiers assistance program who is paying court-ordered child support payments may exclude the full amount of payments in the calculation of household income and assets if the following conditions are met:

A. the applicant shall provide a current copy of the court order that orders child support payments; and

B. court-ordered child support payments made by the applicant must be current and up to date as of the date of the application. The applicant shall provide a written statement from the recipient of the claimed court-ordered child support payments that all support payments are current as of the date of the application for assistance under the state soldiers assistance program.

**Statutory Authority:** *MS s 196.04*

**History:** *16 SR 1709*

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