

CHAPTER 67:10:05

BUDGETING

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67:10:05:17 Eligibility and amount of assistance payment.

67:10:05:02. Computing amount of assistance grant -- Limitation. The amount of assistance which may be paid to an assistance unit is derived by the following computation:

(1) Add the countable earned and unearned income and other benefits available to or received by the assistance unit, except the deductions allowed in § 67:10:03:04;

(2) Subtract the sum from the applicable payment standard contained in § 67:10:05:03,~~67:10:05:04~~, or 67:10:05:05; and

(3) Round the resulting figure down to the nearest dollar.

No payment is made to a recipient if the amount of the assistance payment, not considering recoupment amounts, is less than ten dollars.

Source: 24 SDR 24, effective August 31, 1997; 36 SDR 103, effective December 21, 2009.

General Authority: SDCL 28-7A-3~~(4)~~.

Law Implemented: SDCL 28-7A-3~~(4)~~, 28-7A-4.

67:10:05:03. Payment standard -- Assistance unit includes parent --

Independent or shared living arrangement. Based on the number of eligible persons in the assistance unit and the unit's living arrangement, the payment standard for a household that includes at least one parent of a dependent child is as follows:

PAYMENT STANDARD		
UNIT SIZE	INDEPENDENT LIVING ARRANGEMENT	SHARED LIVING ARRANGEMENT
1 person	\$ 512 <u>461</u>	\$ 317 <u>285</u>
2 persons	627 <u>564</u>	432 <u>389</u>
3 persons	701 <u>631</u>	507 <u>456</u>
4 persons	775 <u>698</u>	581 <u>523</u>
5 persons	848 <u>763</u>	654 <u>589</u>
6 persons	922 <u>830</u>	728 <u>655</u>
7 persons	996 <u>896</u>	800 <u>720</u>
8 persons	1,070 <u>963</u>	875 <u>788</u>
9 persons	1,141 <u>1,027</u>	949 <u>854</u>
10 persons	1,213 <u>1,092</u>	1,020 <u>918</u>
11 persons	1,287 <u>1,158</u>	1,093 <u>984</u>
12 persons	1,361 <u>1,225</u>	1,167 <u>1,050</u>

For a unit size greater than twelve eligible persons, add fifty-three dollars for each additional member.

Source: 24 SDR 24, effective August 31, 1997; 28 SDR 1, effective July 18, 2001; 28 SDR 178, effective July 3, 2002; 29 SDR 177, effective July 1, 2003; 30 SDR 211, effective July 1, 2004; 32 SDR 33, effective August 31, 2005; 34 SDR 93, effective October 17, 2007; 34 SDR 323, effective July 1, 2008; 36 SDR 22, effective August 18, 2009; 39 SDR 113, effective December 26, 2012; 40 SDR 229, effective June 30, 2014; 43 SDR 31, effective September 12, 2016; 47 SDR 138, effective July 1, 2021; 48 SDR 131, effective July 4, 2022; 49 SDR 125, effective July 3, 2023.

General Authority: SDCL 28-7A-3.

Law Implemented: SDCL 28-7A-3(~~4~~), 28-7A-4.

67:10:05:04. Payment standard -- Child not living with parent and placed by child placement agency. ~~The payment standard for an assistance unit which contains a child or children placed by the department, a licensed child placement agency, or a tribal or BIA social services agency under a court order, but which does not contain a parent who is receiving assistance for the parent's own child is the department's basic family foster care rate. The department shall pay this rate for the first child in care that meets the criteria contained in this section. If the assistance unit contains more than one child, the department shall pay \$53 for each additional child in care.~~

~~————The current court order or child placement agreement placing the child into the assistance unit must be current~~ Repealed.

Source: 24 SDR 24, effective August 31, 1997; 28 SDR 1, effective July 18, 2001; 28 SDR 178, effective, July 3, 2002; 29 SDR 177, effective July 1, 2003; 30 SDR 211, effective July 1, 2004; 32 SDR 33, effective August 31, 2005.

~~————**General Authority:** SDCL 28-7A-3(1).~~

~~————**Law Implemented:** SDCL 28-7A-3(1), 28-7A-4.~~

~~————**Cross-References:** License or registration required for child care or placement by public or private agency — Waiver violation as misdemeanor, SDCL 26-6-9; Categories of child welfare agency licenses — Child placement agency, SDCL 26-6-14(4).~~

67:10:05:05. Payment standard -- Child not living with parent and not placed by child placement agency. ~~The~~ Based on the number of eligible persons in the assistance unit, the payment standard for an assistance unit that does not meet the criteria contained in either § 67:10:05:03 or 67:10:05:04 a household that does not include a parent is:

UNIT SIZE	PAYMENT STANDARD
1 child	\$ 432 <u>389</u>
2 children	507 <u>456</u>
3 children	581 <u>523</u>
4 children	654 <u>589</u>
5 children	728 <u>655</u>
6 children	800 <u>720</u>
7 children	875 <u>788</u>
8 children	949 <u>854</u>
9 children	1,020 <u>918</u>
10 children	1,093 <u>984</u>
11 children	1,167 <u>1,050</u>
12 children	1,242 <u>1,118</u>

For a unit size greater than twelve children, add fifty-three dollars for each additional child.

Source: 24 SDR 24, effective August 31, 1997; 28 SDR 1, effective July 18, 2001; 28 SDR 178, effective July 3, 2002; 29 SDR 177, effective July 1, 2003; 30 SDR 211, effective July 1, 2004; 32 SDR 33, effective August 31, 2005; 34 SDR 93, effective October 17, 2007; 34 SDR 323, effective July 1, 2008; 36 SDR 22, effective August 18, 2009; 39 SDR 113, effective December 26, 2012; 40 SDR 229, effective June 30, 2014; 43 SDR 31, effective September 12, 2016; 47 SDR 138, effective July 1, 2021; 48 SDR 131, effective July 4, 2022; 49 SDR 125, effective July 3, 2023.

General Authority: SDCL 28-7A-3.

Law Implemented: SDCL 28-7A-3(~~4~~), 28-7A-4.

67:10:05:06. Payment standard when assistance unit contains children meeting conditions of §§ 67:10:05:04 and 67:10:05:05. ~~The department shall use the highest payment standard available if an assistance unit contains only children meeting the conditions of §§ 67:10:05:04 and 67:10:05:05~~ Repealed.

Source: 24 SDR 24, effective August 31, 1997.

~~— **General Authority:** SDCL 28-7A-3(1).~~

~~— **Law Implemented:** SDCL 28-7A-3(1), 28-7A-4.~~