

**441—98.28(252B) Setoff against payment owed to a person by a state agency.** The department will make a claim pursuant to 701—Chapter 26 against a payment owed to an obligor by a state agency when support is delinquent and the case qualifies for setoff. Any setoff received as the result of a claim against a payment owed to an obligor will be applied to court-ordered support that the department is attempting to collect pursuant to Iowa Code chapter 252B.

**98.28(1) *Case selection.*** The department will submit periodically a list of obligors who are delinquent at least \$50 in support payments to the department of revenue.

**98.28(2) *Distribution of setoff amount.*** Setoffs will be applied in accordance with rules 441—95.3(252B) and 441—95.4(252B).

**98.28(3) *Percentage of payment setoff.*** The amount of setoff will be 50 percent of the total payment due the obligor unless the payment results from lottery winnings, from gambling winnings, from sports wagering winnings, or from a payment for a claim under treasurer of state rules on unclaimed property at 781—Chapter 9, in which case the amount of setoff will be 100 percent of the payment. The amount taken will not exceed the delinquent amount owed by the obligor.

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