

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH70289-LR-89 (04/02)

Short Title: Return Overpayments of State Funds. (Public)

Sponsors: Representative Decker.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS
3 BY PERSONS IN STATE-SUPPORTED POSITIONS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 143 of the General Statutes is amended by adding a
6 new Article to read:

7 "Article 3H.

8 "Overpayments of State Funds.

9 **"§ 143-64.80. Overpayments of State funds to persons in State-supported**
10 **positions; recoupment required.**

11 (a) An overpayment of State funds to any person in a State-funded position,
12 whether in the form of salary or otherwise, shall be recouped by the entity that made the
13 overpayment and, to the extent allowed by law, the amount of the overpayment may be
14 offset against the salary of the person receiving the overpayment.

15 (b) No State department, agency, or institution, or other State-funded entity may
16 forgive repayment of an overpayment of State funds, but shall have a duty to pursue the
17 repayment of State funds by all lawful means available, including the filing of a civil
18 action in the General Court of Justice."

19 SECTION 2. This act is effective when it becomes law and applies to all
20 overpayments of State funds made on or after that date.