

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 1221  
Second Edition Engrossed 4/30/03  
Senate State Government, Local Government, and Veterans' Affairs Committee  
Substitute Adopted 6/9/03

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

Sponsors:

Referred to:

April 14, 2003

A BILL TO BE ENTITLED

AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS  
BY PERSONS IN STATE-SUPPORTED POSITIONS.

The General Assembly of North Carolina enacts:

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

"Article 3H.

"Overpayments of State Funds.

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

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

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

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