

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

SESSION LAW 2003-263  
HOUSE BILL 1221

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.

In the General Assembly read three times and ratified this the 18<sup>th</sup> day of June, 2003.

s/ Beverly E. Perdue  
President of the Senate

s/ Richard T. Morgan  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 12:52 p.m. this 26<sup>th</sup> day of June, 2003