

**45.240 Treatment of erroneous payments recovered within 60 days of identification -- KRS 45.237 and 45.238 applicable to erroneous payments recovered after 60 days.**

- (1) Whenever any payment from public money is made in error, or for an amount in excess of the amount found to be properly due and payable, and the payment or excess amount is recovered within sixty (60) days from the date the erroneous or excess payment was identified, the funds shall be allocated to the fund from which the improper payment was expended, the balance in the appropriation from which the payment was made shall be increased by the amount recovered, and the amount recovered shall be deducted from the disbursements from that appropriation.
- (2) If the payment or excess amount which is later recovered is in the form of an unnegotiated State Treasurer's check, said check shall be transmitted direct to the State Treasurer who shall void it. After voiding the check, the State Treasurer shall notify the appropriate agency of the action taken concerning the check.
- (3) Whenever any payment from public money is made in error, or for an amount in excess of the amount found to be properly due and payable, and the payment or excess amount is recovered after sixty (60) days from the date the erroneous or excess payment was identified, the provisions set forth in KRS 45.237 and 45.238 shall apply, and the funds shall be allocated as provided in those sections.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 192, sec. 5, effective July 13, 2004. -- Amended 1964 Ky. Acts ch. 179, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1992b-39.