



1           **funds, limitation period, immunity of agencies,**  
2           **subdivisions, and instrumentalities of this state.**

3           (a) An erroneous distribution, transfer, allocation,  
4 overpayment or underpayment dedicated, distributed or directed to  
5 a state or local governmental subdivision or a fund, entity, agency  
6 or instrumentality, under the provisions of this code administered  
7 under this article, or under the provisions of article twenty-two,  
8 twenty-two-a, twenty-two-b, twenty-two-c or twenty-five, chapter  
9 twenty-nine of this code, or any other provision of this code, or  
10 any combination thereof, caused by clerical error or mistake, or a  
11 computational, informational or other mistake or error, may be  
12 corrected by an adjustment to a distribution, transfer, allocation  
13 or payment to the subdivision, entity, agency, instrumentality or  
14 fund and by transfer of moneys from the subdivision, entity,  
15 agency, instrumentality or fund until the amount of the erroneous  
16 distribution, transfer, allocation, overpayment or underpayment has  
17 been corrected: *Provided*, That no correction or adjustment may be  
18 made for an erroneous distribution, transfer, allocation,  
19 overpayment or underpayment of moneys that is first discovered more  
20 than three years after the erroneous distribution, transfer,  
21 allocation, overpayment or underpayment of moneys was made, and no  
22 action lies for collection, correction or remediation of the late  
23 discovered erroneous distribution, transfer, allocation,  
24 overpayment or underpayment of the moneys.

1           (b) An agency, governmental subdivision or instrumentality of  
2 this state is not subject to a fine, penalty, assessment or  
3 imposition as a result of, or attributable to, an erroneous  
4 distribution, transfer, allocation, overpayment or underpayment of  
5 moneys.

NOTE: The purpose of this bill is to specify procedures for adjusting payments and transferring moneys to correct for an erroneous distribution, transfer, allocation, overpayment or underpayment of moneys dedicated, distributed or directed to a state or local governmental subdivision or to a fund, entity, agency or instrumentality, under the tax code or the lottery code.

This section is new; therefore, strike-throughs and underscoring have been omitted.