



CHAMBER ACTION

The Committee on State Administration recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to per diem and travel expenses; amending s. 112.061, F.S.; establishing per diem and subsistence ranges for travel expenses of public employees; conforming provisions and deleting obsolete provisions; providing for future adjustments of such rates; providing that counties and district school boards may increase specified rates; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1), paragraphs (e) and (g) of subsection (3), paragraphs (b) and (c) of subsection (5), subsection (6), paragraphs (b) and (d) of subsection (7), paragraph (b) of subsection (8), and subsections (9), (11), and (13) of section 112.061, Florida Statutes, are amended, and subsections (14) and (15) are added to said section, to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.--



29 (1) LEGISLATIVE INTENT.--There are inequities, conflicts,
30 inconsistencies, and lapses in the numerous laws regulating or
31 attempting to regulate travel expenses of public officers,
32 employees, and authorized persons in the state. It is the intent
33 of the Legislature:

34 (a) To remedy same and to establish uniform travel
35 reimbursement ranges for state agencies, maximum travel
36 reimbursement rates for nonstate public agencies, and
37 limitations for all public agencies, with certain justifiable
38 exceptions, applicable to all public travelers ~~officers,~~
39 ~~employees, and authorized persons~~ whose travel expenses are paid
40 by a public agency.

41 (3) AUTHORITY TO INCUR TRAVEL EXPENSES.--

42 (e) The agency head, or a designated representative, may
43 pay by advancement or reimbursement, or a combination thereof,
44 the costs of per diem of travelers ~~and authorized persons~~ for
45 foreign travel at the current rates as specified in the federal
46 publication "Standardized Regulations (Government Civilians,
47 Foreign Areas)" and incidental expenses as provided in this
48 section.

49 (g) The secretary of the Department of Health or a
50 designee may authorize travel expenses incidental to the
51 rendering of medical services for and on behalf of clients of
52 the Department of Health. The Department of Health may establish
53 rates lower than the range ~~maximum~~ provided in this section for
54 these travel expenses.



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55 (5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.--For
56 purposes of reimbursement and methods of calculating fractional
57 days of travel, the following principles are prescribed:

58 (b) A traveler shall not be reimbursed on a per diem basis
59 for Class C travel, but shall receive subsistence as provided in
60 this section, which allowance for meals shall be based on the
61 following schedule:

62 1. Breakfast--When travel begins before 6 a.m. and extends
63 beyond 8 a.m.

64 2. Lunch--When travel begins before 12 noon and extends
65 beyond 2 p.m.

66 3. Dinner--When travel begins before 6 p.m. and extends
67 beyond 8 p.m., or when travel occurs during nighttime hours due
68 to special assignment.

69

70 No allowance shall be made for meals when travel is confined to
71 the city or town of the official headquarters or immediate
72 vicinity; except assignments of official business outside the
73 traveler's regular place of employment if travel expenses are
74 approved. The Chief Financial Officer ~~Comptroller~~ shall
75 establish a schedule for processing Class C travel subsistence
76 payments at least on a monthly basis.

77 ~~(c) For the 2002-2003 fiscal year only and notwithstanding~~
78 ~~the other provisions of this subsection, for Class C travel, a~~
79 ~~state traveler shall not be reimbursed on a per diem basis nor~~
80 ~~shall a traveler receive subsistence allowance. This paragraph~~
81 ~~expires July 1, 2003.~~



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82 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.--For
83 purposes of reimbursement rates and methods of calculation, per
84 diem and subsistence allowances are divided into the following
85 groups and rates:

86 (a) All travelers shall be allowed for subsistence when
87 traveling to a convention or conference or when traveling within
88 or outside the state in order to conduct bona fide state
89 business, which convention, conference, or business serves a
90 direct and lawful public purpose with relation to the public
91 agency served by the person attending such meeting or conducting
92 such business, either of the following for each day of such
93 travel at the option of the traveler:

94 1. Between \$50 and \$94 ~~Fifty~~ dollars per diem for state
95 travelers or up to \$94 dollars for nonstate travelers; or

96 2. If actual expenses exceed ~~\$50~~, the amounts permitted in
97 this paragraph and paragraph (b) for per diem and meals, plus
98 actual expenses for lodging at a single-occupancy rate to be
99 substantiated by paid bills therefor.

100

101 When lodging or meals are provided at a state institution, the
102 traveler shall be reimbursed only for the actual expenses of
103 such lodging or meals, not to exceed the maximum provided for in
104 this subsection.

105 (b) All travelers shall be allowed the following amounts
106 for subsistence while on Class C travel on official business as
107 provided in paragraph (5)(b):

108 1. Breakfast. State travelers are allowed between \$3 and
109 \$5 and nonstate travelers up to \$5.



110 2. Lunch. State travelers are allowed between \$6 and \$11
 111 and nonstate travelers up to \$11.

112 3. Dinner. State travelers are allowed between \$12 and
 113 \$22 and nonstate travelers up to \$22.

- 114 1. ~~Breakfast~~ \$3
- 115 2. ~~Lunch~~ \$6
- 116 3. ~~Dinner~~ \$12

117 ~~(d) For the 2002-2003 fiscal year only and notwithstanding~~
 118 ~~the other provisions of this subsection, for Class C travel, a~~
 119 ~~state traveler shall not be reimbursed on a per diem basis nor~~
 120 ~~shall a traveler receive subsistence allowance. This paragraph~~
 121 ~~expires July 1, 2003.~~

122 (7) TRANSPORTATION.--

123 (b) The Department of Financial Services ~~Banking and~~
 124 ~~Finance~~ may provide any form it deems necessary to cover travel
 125 requests for traveling on official business and when paid by the
 126 state.

127 (d)1. The use of privately owned vehicles for official
 128 travel in lieu of publicly owned vehicles or common carriers may
 129 be authorized by the agency head or his or her designee.
 130 Whenever travel is by privately owned vehicle:

131 a. A state~~, the~~ traveler shall be entitled to a mileage
 132 allowance at a ~~fixed~~ rate of 29 to 37 ~~25~~ cents per mile;

133 b. A nonstate traveler shall be entitled to a mileage
 134 allowance of up to 37 ~~for state fiscal year 1994-1995 and 29~~
 135 cents per mile; or



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136 c. The traveler shall be entitled to ~~thereafter~~ or the
137 common carrier fare for such travel, as determined by the agency
138 head.

139 2. Reimbursement for expenditures related to the
140 operation, maintenance, and ownership of a vehicle shall not be
141 allowed when privately owned vehicles are used on public
142 business and reimbursement is made pursuant to this paragraph,
143 except as provided in subsection (8).

144 3.2- All mileage shall be shown from point of origin to
145 point of destination and, when possible, shall be computed on
146 the basis of the current map of the Department of
147 Transportation. Vicinity mileage necessary for the conduct of
148 official business is allowable but must be shown as a separate
149 item on the expense voucher.

150 (8) OTHER EXPENSES.--

151 (b) Other expenses which are not specifically authorized
152 by this section may be approved by the Department of Financial
153 Services ~~Banking and Finance~~ pursuant to rules adopted by it.
154 Expenses approved pursuant to this paragraph shall be reported
155 by the Department of Financial Services ~~Banking and Finance~~ to
156 the Auditor General annually.

157 (9) RULES AND REGULATIONS.--

158 (a) The Department of Financial Services ~~Banking and~~
159 ~~Finance~~ shall adopt ~~promulgate~~ such rules and regulations,
160 including, but not limited to, the general criteria to be used
161 by a state agency to predetermine justification for attendance
162 by state officers, ~~and~~ employees, and authorized persons at
163 conventions and conferences, and prescribe such forms as may be



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164 necessary to effectuate the purposes of this section. The
165 department may also adopt rules prescribing the proper
166 disposition and use of promotional items and rebates offered by
167 common carriers and other entities in connection with travel at
168 public expense; however, before adopting such rules, the
169 department shall consult with the appropriation committees of
170 the Legislature.

171 (b) Each state agency shall promulgate such additional
172 specific rules and regulations and specific criteria to be used
173 by it to predetermine justification for attendance by state
174 officers, ~~and~~ employees, and authorized persons at conventions
175 and conferences, not in conflict with the rules and regulations
176 of the Department of Financial Services ~~Banking and Finance~~ or
177 with the general criteria to be used by a state agency to
178 predetermine justification for attendance by state officers, ~~and~~
179 employees, and authorized persons at conventions, as may be
180 necessary to effectuate the purposes of this section.

181 (11) TRAVEL AUTHORIZATION AND VOUCHER FORMS.--

182 (a) *Authorization forms.*--The Department of Financial
183 Services ~~Banking and Finance~~ shall furnish a uniform travel
184 authorization request form which shall be used by all state
185 officers, ~~and~~ employees, and authorized persons when requesting
186 approval for the performance of travel to a convention or
187 conference. The form shall include, but not be limited to,
188 provision for the name of each traveler, purpose of travel,
189 period of travel, estimated cost to the state, and a statement
190 of benefits accruing to the state by virtue of such travel. A
191 copy of the program or agenda of the convention or conference,



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192 itemizing registration fees and any meals or lodging included in
193 the registration fee, shall be attached to, and filed with, the
194 copy of the travel authorization request form on file with the
195 agency. The form shall be signed by the traveler and by the
196 traveler's supervisor stating that the travel is to be incurred
197 in connection with official business of the state. The head of
198 the agency or his or her designated representative shall not
199 authorize or approve such request in the absence of the
200 appropriate signatures. A copy of the travel authorization form
201 shall be attached to, and become a part of, the support of the
202 agency's copy of the travel voucher.

203 (b) *Voucher forms.*--

204 1. The Department of Financial Services ~~Banking and~~
205 ~~Finance~~ shall furnish a uniform travel voucher form which shall
206 be used by all state officers, and employees, and authorized
207 persons when submitting travel expense statements for approval
208 and payment. No travel expense statement shall be approved for
209 payment by the Chief Financial Officer ~~Comptroller~~ unless made
210 on the form prescribed and furnished by the department. The
211 travel voucher form shall provide for, among other things, the
212 purpose of the official travel and a certification or
213 affirmation, to be signed by the traveler, indicating the truth
214 and correctness of the claim in every material matter, that the
215 travel expenses were actually incurred by the traveler as
216 necessary in the performance of official duties, that per diem
217 claimed has been appropriately reduced for any meals or lodging
218 included in the convention or conference registration fees
219 claimed by the traveler, and that the voucher conforms in every



220 respect with the requirements of this section. The original copy
 221 of the executed uniform travel authorization request form shall
 222 be attached to the uniform travel voucher on file with the
 223 respective agency.

224 2. Statements for travel expenses incidental to the
 225 rendering of medical services for and on behalf of clients of
 226 the Department of Health shall be on forms approved by the
 227 Department of Financial Services ~~Banking and Finance~~.

228 (13) DIRECT PAYMENT OF EXPENSES BY AGENCY.--Whenever an
 229 agency requires an employee to incur either Class A or Class B
 230 travel on emergency notice to the traveler, such traveler may
 231 request the agency to pay his or her expenses for meals and
 232 lodging directly to the vendor, and the agency may pay the
 233 vendor the actual expenses for meals and lodging during the
 234 travel period, limited to an amount not to exceed that
 235 authorized pursuant to this section. In emergency situations,
 236 the agency head or his or her designee may authorize an increase
 237 in the amount paid for a specific meal, provided that the total
 238 daily cost of meals does not exceed the total amount authorized
 239 for meals each day. The agency head or his or her designee may
 240 also grant prior approval for a state agency to make direct
 241 payments of travel expenses in other situations that result in
 242 cost savings to the state, and such cost savings shall be
 243 documented in the voucher submitted to the Chief Financial
 244 Officer ~~Comptroller~~ for the direct payment of travel expenses.
 245 The provisions of this subsection shall not be deemed to apply
 246 to any legislator or to any employee of the Legislature.

247 (14) TRAVEL REIMBURSEMENT RANGES AND ADJUSTMENTS.--



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248 (a) For the 2002-2003 fiscal year, state travelers may
249 receive no more than the minimum amounts for per diem as
250 provided in subparagraph (6)(a)1., subsistence as provided in
251 paragraph (6)(b), and mileage as provided in subparagraph
252 (7)(d)1.

253 (b) On or before June 30, 2003, and annually thereafter,
254 the specific amount to be paid during the following fiscal year
255 to state travelers for per diem as provided in subparagraph
256 (6)(a)1., subsistence as provided in paragraph (6)(b), and
257 mileage as provided in subparagraph (7)(d)1 shall be established
258 as follows:.

259 1. The Attorney General shall establish amounts that apply
260 uniformly to all travel by the Department of Legal Affairs.

261 2. The Chief Financial Officer shall establish amounts
262 that apply uniformly to all travel by the Department of
263 Financial Services.

264 3. The Commissioner of Agriculture shall establish amounts
265 that apply uniformly to all travel by the Department of
266 Agriculture.

267 4. The Governor shall establish amounts that apply
268 uniformly to all travel by executive branch agencies, except as
269 otherwise provided in this paragraph.

270 5. The presiding officers of the Legislature shall
271 establish amounts that apply uniformly to all travel by
272 legislative branch agencies.

273 6. The Chief Justice of the Florida Supreme Court shall
274 establish amounts that apply uniformly to all travel by judicial
275 branch agencies.



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276 (c) On June 1, 2005, and annually thereafter, the
277 Department of Financial Services shall adjust by rule the
278 amounts for per diem provided in subparagraph (6)(a)1., the
279 amounts for subsistence provided in paragraph (6)(b), and the
280 amounts for mileage provided in subparagraph (7)(d)1. to reflect
281 the percentage change in the Consumer Price Index for All Urban
282 Consumers, U.S. City Average since June 1, 2003. The annually
283 adjusted amounts shall be rounded downward to the nearest whole
284 dollar for per diem and to the nearest whole cent for
285 subsistence and shall be effective for the following fiscal
286 year.

287 (15) APPLICABILITY TO COUNTIES, COUNTY OFFICERS, AND
288 DISTRICT SCHOOL BOARDS.--

289 (a) Rates that exceed the maximum travel reimbursement
290 rates for nonstate travelers specified in s. 112.061(6)(a) for
291 per diem, in s. 112.061(6)(b) for meals, and in s.
292 112.061(7)(d)1. for mileage may be established by:

293 1. The governing body of a county by the enactment of an
294 ordinance or resolution;

295 2. A county constitutional officer, pursuant to s. 1.(d),
296 Art. VIII of the State Constitution, by the establishment of
297 written policy; or

298 3. The governing body of a district school board by the
299 adoption of rules.

300 (b) Rates established pursuant to paragraph (a) must apply
301 uniformly to all travel by the county, by the county
302 constitutional officer and entity governed by that officer, or
303 district school board.



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304 | (c) Except as otherwise provided in this subsection,
305 | counties, county constitutional officers and entities governed
306 | by those officers, and district school boards remain subject to
307 | the requirements of this section.

308 | Section 2. This act shall take effect June 1, 2003.

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