

By Senator Lawson

6-1327-04

See HB

1                                   A bill to be entitled  
 2           An act relating to per diem and travel  
 3           expenses; amending s. 112.061, F.S.;  
 4           establishing per diem and subsistence ranges  
 5           for travel expenses of public employees;  
 6           conforming provisions and deleting obsolete  
 7           provisions; providing for future adjustments of  
 8           such rates; providing an effective date.

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

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 12           Section 1. Paragraph (a) of subsection (1), paragraphs  
 13 (e) and (g) of subsection (3), paragraph (c) of subsection  
 14 (5), subsection (6), paragraph (d) of subsection (7), and  
 15 subsection (11) of section 112.061, Florida Statutes, are  
 16 amended, and subsection (15) is added to that section, to  
 17 read:

18           112.061 Per diem and travel expenses of public  
 19 officers, employees, and authorized persons.--

20           (1) LEGISLATIVE INTENT.--There are inequities,  
 21 conflicts, inconsistencies, and lapses in the numerous laws  
 22 regulating or attempting to regulate travel expenses of public  
 23 officers, employees, and authorized persons in the state. It  
 24 is the intent of the Legislature:

25           (a) To remedy same and to establish uniform travel  
 26 reimbursement ranges for state agencies, maximum travel  
 27 reimbursement rates for nonstate public agencies, and  
 28 limitations for all public agencies, with certain justifiable  
 29 exceptions, applicable to all public travelers ~~officers,~~  
 30 ~~employees, and authorized persons~~ whose travel expenses are  
 31 paid by a public agency.

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

2           (e) The agency head, or a designated representative,  
3 may pay by advancement or reimbursement, or a combination  
4 thereof, the costs of per diem of travelers ~~and authorized~~  
5 ~~persons~~ for foreign travel at the current rates as specified  
6 in the federal publication "Standardized Regulations  
7 (Government Civilians, Foreign Areas)" and incidental expenses  
8 as provided in this section.

9           (g) The secretary of the Department of Health or a  
10 designee may authorize travel expenses incidental to the  
11 rendering of medical services for and on behalf of clients of  
12 the Department of Health. The Department of Health may  
13 establish rates lower than the range ~~maximum~~ provided in this  
14 section for these travel expenses.

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

19           ~~(c) For the 2003-2004 fiscal year only and~~  
20 ~~notwithstanding the other provisions of this subsection, for~~  
21 ~~Class C travel, a state traveler shall not be reimbursed on a~~  
22 ~~per diem basis nor shall a traveler receive subsistence~~  
23 ~~allowance. This paragraph expires July 1, 2004.~~

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

28           (a) All travelers shall be allowed for subsistence  
29 when traveling to a convention or conference or when traveling  
30 within or outside the state in order to conduct bona fide  
31 state business, which convention, conference, or business

1 serves a direct and lawful public purpose with relation to the  
2 public agency served by the person attending such meeting or  
3 conducting such business, either of the following for each day  
4 of such travel at the option of the traveler:

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

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

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13 When lodging or meals are provided at a state institution, the  
14 traveler shall be reimbursed only for the actual expenses of  
15 such lodging or meals, not to exceed the maximum provided for  
16 in this subsection.

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

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

22 2. Lunch. State travelers are allowed between \$6 and  
23 \$11 and nonstate travelers up to \$11.

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

26 (c) No one, whether traveling out of state or in  
27 state, shall be reimbursed for any meal or lodging included in  
28 a convention or conference registration fee paid by the state.

29 ~~(d) For the 2003-2004 fiscal year only and~~  
30 ~~notwithstanding the other provisions of this subsection, for~~  
31 ~~Class C travel, a state traveler shall not be reimbursed on a~~

1 ~~per diem basis nor shall a traveler receive subsistence~~  
2 ~~allowance. This paragraph expires July 1, 2004.~~

3 (7) TRANSPORTATION.--

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

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

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

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

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

22 3.2. All mileage shall be shown from point of origin  
23 to point of destination and, when possible, shall be computed  
24 on the basis of the current map of the Department of  
25 Transportation. Vicinity mileage necessary for the conduct of  
26 official business is allowable but must be shown as a separate  
27 item on the expense voucher.

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

29 (a) Authorization forms.--The Department of Financial  
30 Services shall furnish a uniform travel authorization request  
31 form which shall be used by all state officers,and employees,

1 and authorized persons when requesting approval for the  
2 performance of travel to a convention or conference. The form  
3 shall include, but not be limited to, provision for the name  
4 of each traveler, purpose of travel, period of travel,  
5 estimated cost to the state, and a statement of benefits  
6 accruing to the state by virtue of such travel. A copy of the  
7 program or agenda of the convention or conference, itemizing  
8 registration fees and any meals or lodging included in the  
9 registration fee, shall be attached to, and filed with, the  
10 copy of the travel authorization request form on file with the  
11 agency. The form shall be signed by the traveler and by the  
12 traveler's supervisor stating that the travel is to be  
13 incurred in connection with official business of the state.  
14 The head of the agency or his or her designated representative  
15 shall not authorize or approve such request in the absence of  
16 the appropriate signatures. A copy of the travel authorization  
17 form shall be attached to, and become a part of, the support  
18 of the agency's copy of the travel voucher.

19 (b) Voucher forms.--

20 1. The Department of Financial Services shall furnish  
21 a uniform travel voucher form which shall be used by all state  
22 officers, ~~and~~ employees, and authorized persons when  
23 submitting travel expense statements for approval and payment.  
24 No travel expense statement shall be approved for payment by  
25 the Chief Financial Officer unless made on the form prescribed  
26 and furnished by the department. The travel voucher form shall  
27 provide for, among other things, the purpose of the official  
28 travel and a certification or affirmation, to be signed by the  
29 traveler, indicating the truth and correctness of the claim in  
30 every material matter, that the travel expenses were actually  
31 incurred by the traveler as necessary in the performance of

1 official duties, that per diem claimed has been appropriately  
2 reduced for any meals or lodging included in the convention or  
3 conference registration fees claimed by the traveler, and that  
4 the voucher conforms in every respect with the requirements of  
5 this section. The original copy of the executed uniform travel  
6 authorization request form shall be attached to the uniform  
7 travel voucher on file with the respective agency.

8 2. Statements for travel expenses incidental to the  
9 rendering of medical services for and on behalf of clients of  
10 the Department of Health shall be on forms approved by the  
11 Department of Financial Services.

12 (15) TRAVEL REIMBURSEMENT RANGES AND ADJUSTMENTS.--

13 (a) For the 2003-2004 fiscal year, state travelers may  
14 receive no more than the minimum amounts for per diem as  
15 provided in subparagraph (6)(a)1., subsistence as provided in  
16 paragraph (6)(b), and mileage as provided in subparagraph  
17 (7)(d)1.

18 (b) On or before June 30, 2004, and annually  
19 thereafter, the specific amount to be paid during the  
20 following fiscal year to state travelers for per diem as  
21 provided in subparagraph (6)(a)1., subsistence as provided in  
22 paragraph (6)(b), and mileage as provided in subparagraph  
23 (7)(d)1. shall be established as follows:

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

27 2. The Chief Financial Officer shall establish amounts  
28 that apply uniformly to all travel by the Department of  
29 Financial Services.

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1           3. The Commissioner of Agriculture shall establish  
2 amounts that apply uniformly to all travel by the Department  
3 of Agriculture and Consumer Services.

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

7           5. The presiding officers of the Legislature shall  
8 establish amounts that apply uniformly to all travel by  
9 legislative branch agencies.

10           6. The Chief Justice of the Florida Supreme Court  
11 shall establish amounts that apply uniformly to all travel by  
12 judicial branch agencies.

13           (c) On June 1, 2006, and annually thereafter, the  
14 Department of Financial Services shall adjust by rule the  
15 amounts for per diem provided in subparagraph (6)(a)1., the  
16 amounts for subsistence provided in paragraph (6)(b), and the  
17 amounts for mileage provided in subparagraph (7)(d)1. to  
18 reflect the percentage change in the Consumer Price Index for  
19 All Urban Consumers, U.S. City Average since June 1, 2003. The  
20 annually adjusted amounts shall be rounded downward to the  
21 nearest whole dollar for per diem and to the nearest whole  
22 cent for subsistence and shall be effective for the following  
23 fiscal year.

24           Section 2. This act shall take effect June 1, 2004.  
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