

By the Committee on Governmental Oversight and Productivity;  
and Senator Lawson

302-2020-04

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, subsistence, and mileage  
5           ranges 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), subsection (6), paragraph (d)  
14   of subsection (7), and subsection (11) of section 112.061,  
15   Florida Statutes, are amended, and subsection (15) is added to  
16   that section, to read:

17           112.061 Per diem and travel expenses of public  
18   officers, employees, and authorized persons.--

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

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

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

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

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

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

18 (a) All travelers shall be allowed for subsistence  
19 when traveling to a convention or conference or when traveling  
20 within or outside the state in order to conduct bona fide  
21 state business, which convention, conference, or business  
22 serves a direct and lawful public purpose with relation to the  
23 public agency served by the person attending such meeting or  
24 conducting such business, either of the following for each day  
25 of such travel at the option of the traveler:

26 1. Between \$50 and \$96 ~~Fifty dollars~~ per diem for  
27 state travelers or up to \$96 for nonstate travelers; or

28 2. If actual expenses exceed the amount permitted in  
29 subparagraph 1.~~\$50~~, the amounts permitted in paragraph (b)  
30 for subsistence ~~meals~~, plus actual expenses for lodging at a  
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1 single-occupancy rate, to be substantiated by paid bills  
2 therefor.

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4 When lodging or meals are provided at a state institution, the  
5 traveler shall be reimbursed only for the actual expenses of  
6 such lodging or meals, not to exceed the maximum provided for  
7 in this subsection.

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

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

13 2. Lunch. State travelers are allowed between \$6 and  
14 \$11 and nonstate travelers up to \$11.

15 3. Dinner. State travelers are allowed between \$12  
16 and \$23 and nonstate travelers up to \$23.

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

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

25 (7) TRANSPORTATION.--

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

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1           a. A state,~~the~~ traveler shall be entitled to a  
2 mileage allowance at a ~~fixed~~ rate of 29 to 38 ~~25~~ cents per  
3 mile;

4           b. A nonstate traveler shall be entitled to a mileage  
5 allowance of up to 38 ~~for state fiscal year 1994-1995 and 29~~  
6 cents per mile; or

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

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

15           3.2. All mileage shall be shown from point of origin  
16 to point of destination and, when possible, shall be computed  
17 on the basis of the current map of the Department of  
18 Transportation. Vicinity mileage necessary for the conduct of  
19 official business is allowable but must be shown as a separate  
20 item on the expense voucher.

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

22           (a) Authorization forms.--The Department of Financial  
23 Services shall furnish a uniform travel authorization request  
24 form which shall be used by all state officers, and employees,  
25 and authorized persons when requesting approval for the  
26 performance of travel to a convention or conference. The form  
27 shall include, but not be limited to, provision for the name  
28 of each traveler, purpose of travel, period of travel,  
29 estimated cost to the state, and a statement of benefits  
30 accruing to the state by virtue of such travel. A copy of the  
31 program or agenda of the convention or conference, itemizing

1 registration fees and any meals or lodging included in the  
2 registration fee, shall be attached to, and filed with, the  
3 copy of the travel authorization request form on file with the  
4 agency. The form shall be signed by the traveler and by the  
5 traveler's supervisor stating that the travel is to be  
6 incurred in connection with official business of the state.  
7 The head of the agency or his or her designated representative  
8 shall not authorize or approve such request in the absence of  
9 the appropriate signatures. A copy of the travel authorization  
10 form shall be attached to, and become a part of, the support  
11 of the agency's copy of the travel voucher.

12 (b) Voucher forms.--

13 1. The Department of Financial Services shall furnish  
14 a uniform travel voucher form which shall be used by all state  
15 officers, and employees, and authorized persons when  
16 submitting travel expense statements for approval and payment.  
17 No travel expense statement shall be approved for payment by  
18 the Chief Financial Officer unless made on the form prescribed  
19 and furnished by the department. The travel voucher form shall  
20 provide for, among other things, the purpose of the official  
21 travel and a certification or affirmation, to be signed by the  
22 traveler, indicating the truth and correctness of the claim in  
23 every material matter, that the travel expenses were actually  
24 incurred by the traveler as necessary in the performance of  
25 official duties, that per diem claimed has been appropriately  
26 reduced for any meals or lodging included in the convention or  
27 conference registration fees claimed by the traveler, and that  
28 the voucher conforms in every respect with the requirements of  
29 this section. The original copy of the executed uniform travel  
30 authorization request form shall be attached to the uniform  
31 travel voucher on file with the respective agency.

1           2. Statements for travel expenses incidental to the  
2 rendering of medical services for and on behalf of clients of  
3 the Department of Health shall be on forms approved by the  
4 Department of Financial Services.

5           (15) STATE TRAVEL REIMBURSEMENT RANGES AND  
6 ADJUSTMENTS.--

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

12           (b) On or before June 30, 2004, and annually  
13 thereafter, the specific amount to be paid during the  
14 following fiscal year to state travelers 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. shall be established as follows:

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

21           2. The Chief Financial Officer shall establish amounts  
22 that apply uniformly to all travel by the Department of  
23 Financial Services.

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

27           4. The Governor shall establish amounts that apply  
28 uniformly to all travel by executive branch agencies, except  
29 as otherwise provided in this paragraph.  
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1           5. The presiding officers of the Legislature shall  
2 establish amounts that apply uniformly to all travel by  
3 legislative branch agencies.

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

7           (c) On June 1, 2005, and annually thereafter, the  
8 Department of Financial Services shall adjust by rule the  
9 amounts for per diem provided in subparagraph (6)(a)1., the  
10 amounts for subsistence provided in paragraph (6)(b), and the  
11 amounts for mileage provided in subparagraph (7)(d)1. to  
12 reflect the percentage change in the Consumer Price Index for  
13 All Urban Consumers, U.S. City Average since June 1, 2003. The  
14 annually adjusted amounts shall be rounded downward to the  
15 nearest whole dollar for per diem and subsistence and to the  
16 nearest whole cent for mileage and shall be effective for the  
17 following fiscal year.

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

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20           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
21           COMMITTEE SUBSTITUTE FOR  
22           Senate Bill 1904

23 Removes bill's provision permitting reimbursement for the  
24 actual cost of meals. Updates maximum amounts for per diem,  
25 mileage, and meals to reflect changes in the Consumer Price  
26 Index from the last time the amounts were legislatively  
27 increased until 2003. Provides that annual adjustments by the  
28 Department of Financial Services begin in 2005, rather than  
29 2006. Provides that adjustments for per diem and subsistence  
30 are to be rounded downward to the nearest dollar and for  
31 mileage are to be rounded downward to the nearest cent.  
Reinstates paragraphs regarding Class C travel.