

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

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 11           Section 1. Paragraph (a) of subsection (1), paragraphs (e)  
 12           and (g) of subsection (3), subsection (6), paragraph (d) of  
 13           subsection (7), and subsection (11) of section 112.061, Florida  
 14           Statutes, are amended, and subsection (15) is added to said  
 15           section, to read:

16           112.061 Per diem and travel expenses of public officers,  
 17           employees, and authorized persons.--

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

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

29 by a public agency.

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

31 (e) The agency head, or a designated representative, may  
 32 pay by advancement or reimbursement, or a combination thereof,  
 33 the costs of per diem of travelers ~~and authorized persons~~ for  
 34 foreign travel at the current rates as specified in the federal  
 35 publication "Standardized Regulations (Government Civilians,  
 36 Foreign Areas)" and incidental expenses as provided in this  
 37 section.

38 (g) The secretary of the Department of Health or a  
 39 designee may authorize travel expenses incidental to the  
 40 rendering of medical services for and on behalf of clients of  
 41 the Department of Health. The Department of Health may establish  
 42 rates lower than the range ~~maximum~~ provided in this section for  
 43 these travel expenses.

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

48 (a) All travelers shall be allowed for subsistence when  
 49 traveling to a convention or conference or when traveling within  
 50 or outside the state in order to conduct bona fide state  
 51 business, which convention, conference, or business serves a  
 52 direct and lawful public purpose with relation to the public  
 53 agency served by the person attending such meeting or conducting  
 54 such business, either of the following for each day of such  
 55 travel at the option of the traveler:

- 56 1. Between \$50 and \$96 ~~Fifty dollars~~ per diem for state

57 travelers or up to \$96 for nonstate travelers; or

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

62  
 63 When lodging or meals are provided at a state institution, the  
 64 traveler shall be reimbursed only for the actual expenses of  
 65 such lodging or meals, not to exceed the maximum provided for in  
 66 this subsection.

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

70 1. Breakfast. State travelers are allowed between \$3 and  
 71 \$5 and nonstate travelers up to \$5.

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

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

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

79 ~~(d) For the 2004-2005 fiscal year only and notwithstanding~~  
 80 ~~the other provisions of this subsection, for Class C travel, a~~  
 81 ~~state traveler shall not be reimbursed on a per diem basis nor~~  
 82 ~~shall a traveler receive subsistence allowance. This paragraph~~  
 83 ~~expires July 1, 2005.~~

84 (7) TRANSPORTATION.--

85 (d)1. The use of privately owned vehicles for official  
 86 travel in lieu of publicly owned vehicles or common carriers may  
 87 be authorized by the agency head or his or her designee.

88 Whenever travel is by privately owned vehicle:

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

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

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

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

102 ~~3.2.~~ All mileage shall be shown from point of origin to  
 103 point of destination and, when possible, shall be computed on  
 104 the basis of the current map of the Department of  
 105 Transportation. Vicinity mileage necessary for the conduct of  
 106 official business is allowable but must be shown as a separate  
 107 item on the expense voucher.

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

109 (a) Authorization forms.--The Department of Financial  
 110 Services shall furnish a uniform travel authorization request  
 111 form which shall be used by all state officers, ~~and~~ employees,  
 112 and authorized persons when requesting approval for the

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113 performance of travel to a convention or conference. The form  
114 shall include, but not be limited to, provision for the name of  
115 each traveler, purpose of travel, period of travel, estimated  
116 cost to the state, and a statement of benefits accruing to the  
117 state by virtue of such travel. A copy of the program or agenda  
118 of the convention or conference, itemizing registration fees and  
119 any meals or lodging included in the registration fee, shall be  
120 attached to, and filed with, the copy of the travel  
121 authorization request form on file with the agency. The form  
122 shall be signed by the traveler and by the traveler's supervisor  
123 stating that the travel is to be incurred in connection with  
124 official business of the state. The head of the agency or his or  
125 her designated representative shall not authorize or approve  
126 such request in the absence of the appropriate signatures. A  
127 copy of the travel authorization form shall be attached to, and  
128 become a part of, the support of the agency's copy of the travel  
129 voucher.

130 (b) Voucher forms.--

131 1. The Department of Financial Services shall furnish a  
132 uniform travel voucher form which shall be used by all state  
133 officers, ~~and~~ employees, and authorized persons when submitting  
134 travel expense statements for approval and payment. No travel  
135 expense statement shall be approved for payment by the Chief  
136 Financial Officer unless made on the form prescribed and  
137 furnished by the department. The travel voucher form shall  
138 provide for, among other things, the purpose of the official  
139 travel and a certification or affirmation, to be signed by the  
140 traveler, indicating the truth and correctness of the claim in

141 every material matter, that the travel expenses were actually  
 142 incurred by the traveler as necessary in the performance of  
 143 official duties, that per diem claimed has been appropriately  
 144 reduced for any meals or lodging included in the convention or  
 145 conference registration fees claimed by the traveler, and that  
 146 the voucher conforms in every respect with the requirements of  
 147 this section. The original copy of the executed uniform travel  
 148 authorization request form shall be attached to the uniform  
 149 travel voucher on file with the respective agency.

150 2. Statements for travel expenses incidental to the  
 151 rendering of medical services for and on behalf of clients of  
 152 the Department of Health shall be on forms approved by the  
 153 Department of Financial Services.

154 (15) STATE TRAVEL REIMBURSEMENT RANGES AND ADJUSTMENTS.--

155 (a) For the 2004-2005 fiscal year, state travelers may  
 156 receive no more than the minimum amounts for per diem as  
 157 provided in subparagraph (6)(a)1., subsistence as provided in  
 158 paragraph (6)(b), and mileage as provided in subparagraph  
 159 (7)(d)1.

160 (b) On or before June 30, 2005, and annually thereafter,  
 161 the specific amount to be paid during the following fiscal year  
 162 to state travelers for per diem as provided in subparagraph  
 163 (6)(a)1., subsistence as provided in paragraph (6)(b), and  
 164 mileage as provided in subparagraph (7)(d)1. shall be  
 165 established as follows:

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

168 2. The Chief Financial Officer shall establish amounts

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169 that apply uniformly to all travel by the Department of  
170 Financial Services.

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

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

177 5. The presiding officers of the Legislature shall  
178 establish amounts that apply uniformly to all travel by  
179 legislative branch agencies.

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

183 (c) On June 1, 2006, and annually thereafter, the  
184 Department of Financial Services shall adjust by rule the  
185 amounts for per diem provided in subparagraph (6)(a)1., the  
186 amounts for subsistence provided in paragraph (6)(b), and the  
187 amounts for mileage provided in subparagraph (7)(d)1. to reflect  
188 the percentage change in the Consumer Price Index for All Urban  
189 Consumers, U.S. City Average since June 1, 2004. The annually  
190 adjusted amounts shall be rounded downward to the nearest whole  
191 dollar for per diem and subsistence and to the nearest whole  
192 cent for mileage and shall be effective for the following fiscal  
193 year.

194 Section 2. This act shall take effect June 1, 2005.