

Bill No. SB 778

Barcode 383962

CHAMBER ACTION

Senate

House

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The Committee on Governmental Oversight and Productivity  
(Lawson) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

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

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

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

(a) To remedy same and to establish uniform travel  
reimbursement rates for state agencies, maximum travel

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1 reimbursement rates for nonstate public agencies, and  
 2 limitations for all public agencies, with certain justifiable  
 3 exceptions, applicable to all authorized travelers ~~public~~  
 4 ~~officers, employees, and authorized persons~~ whose travel  
 5 expenses are paid by a public agency.

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

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

14 (g) The secretary of the Department of Health or a  
 15 designee may authorize travel expenses incidental to the  
 16 rendering of medical services for and on behalf of clients of  
 17 the Department of Health. The Department of Health may  
 18 establish rates lower than the rate ~~maximum~~ provided in this  
 19 section for these travel expenses.

20 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.--For

21 purposes of reimbursement rates and methods of calculation,  
 22 per diem and subsistence allowances are provided as follows  
 23 ~~divided into the following groups and rates:~~

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

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1           1. For fiscal year 2005-2006, the rate of per diem  
 2 shall be \$90 and shall be adjusted annually thereafter  
 3 pursuant to subsection (15); however, in no case may the  
 4 state-established per diem rate exceed the standard federal  
 5 per diem rate for the continental United States ~~Fifty dollars~~  
 6 per diem; or

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

12  
 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 and nonstate travelers  
 21 are allowed \$5 for fiscal year 2005-2006 and thereafter as  
 22 adjusted annually pursuant to subsection (15). ~~\$3~~

23           2. Lunch. State travelers and nonstate travelers are  
 24 allowed \$11 for fiscal year 2005-2006 and thereafter as  
 25 adjusted annually pursuant to subsection (15). ~~\$6~~

26           3. Dinner. State travelers and nonstate travelers are  
 27 allowed \$23 for fiscal year 2005-2006 and thereafter as  
 28 adjusted annually pursuant to subsection (15). ~~\$12~~

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

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

6           (7) TRANSPORTATION.--

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

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

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

16           c. The traveler shall be entitled to ~~thereafter~~ or the  
 17 common carrier fare for such travel, if as determined by the  
 18 agency head to be more economical.

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

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

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

31           (a) Authorization forms.--The Department of Financial

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

21 (b) Voucher forms.--

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

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

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

14           (15) STATE TRAVEL REIMBURSEMENT RATES AND  
 15 ADJUSTMENTS.--On or before June 30, 2006, and annually  
 16 thereafter, the Chief Financial Officer shall establish and  
 17 publish the uniform subsistence amounts and per diem rates  
 18 applicable for the next fiscal year, adjusted to reflect the  
 19 percentage change in the Consumer Price Index for All Urban  
 20 Consumers, U.S. City Average since June 1, 2004. However, the  
 21 per diem rate may not exceed the standard federal per diem  
 22 rate for the continental United States as published by the  
 23 General Services Administration for the applicable year.

24           Section 2. This act shall take effect July 1, 2005.

25           Delete everything before the enacting clause

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27 and insert:

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30 ===== T I T L E   A M E N D M E N T =====

31 And the title is amended as follows:

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