

By the Committee on Governmental Oversight and Productivity;
and Senators Lawson, Argenziano, Campbell and Rich

585-1804-05

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 rates 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.

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

11
 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 rates 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 authorized travelers ~~public~~
 29 ~~officers, employees, and authorized persons~~ whose travel
 30 expenses are 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 rate ~~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 provided as follows
17 ~~divided into the 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. For fiscal year 2005-2006, the rate of per diem
27 shall be \$90 and shall be adjusted annually thereafter
28 pursuant to subsection (15); however, in no case may the
29 state-established per diem rate exceed the standard federal
30 per diem rate for the continental United States ~~Fifty dollars~~
31 ~~per diem; or~~

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

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

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

14 1. Breakfast. State travelers and nonstate travelers
15 are allowed \$5 for fiscal year 2005-2006 and thereafter as
16 adjusted annually pursuant to subsection (15).~~\$3~~

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

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

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

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

31 (7) TRANSPORTATION.--

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

4 Whenever travel is by privately owned vehicle:

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

7 b. A nonstate traveler shall be entitled to a mileage
8 allowance of 38 for state fiscal year 1994 1995 and 29 cents
9 per mile; or

10 c. The traveler shall be entitled to thereafter or the
11 common carrier fare for such travel, if as determined by the
12 agency head to be more economical.

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

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

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

25 (a) Authorization forms.--The Department of Financial
26 Services shall furnish a uniform travel authorization request
27 form which shall be used by all state officers, ~~and~~ employees, ~~and~~
28 and authorized persons when requesting approval for the
29 performance of travel to a convention or conference. The form
30 shall include, but not be limited to, provision for the name
31 of each traveler, purpose of travel, period of travel,

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

15 | (b) Voucher forms.--

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

1 | this section. The original copy of the executed uniform travel
2 | authorization request form shall be attached to the uniform
3 | travel voucher on file with the respective agency.

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

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

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

19 |
20 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
21 | COMMITTEE SUBSTITUTE FOR
22 | Senate Bill 778

23 | Establishes uniform per diem, subsistence, and travel rates
24 | for state and nonstate employees.

25 | Establishes for fiscal year 2005-2006 a \$90 per diem rate; \$5
26 | for breakfast; \$11 for lunch; \$23 for dinner; and 38 cents per
27 | mile.

28 | Requires the Chief Financial Officer to adjust these rates on
29 | annual basis to reflect the percentage change in the Consumer
30 | Price Index for All Urban Consumers.

31 | Prohibits the rate adjustment from exceeding the standard
federal per diem rate for the continental United States for
the same year.