

576-2105-06

Proposed Committee Substitute by the Committee on Ways and Means

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A bill to be entitled

An act relating to per diem and travel expenses; amending s. 112.061, F.S.; revising per diem, subsistence, and mileage rates for purposes of reimbursement of travel expenses of public officers, employees, and authorized persons; providing an effective date.

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

Section 1. Subsection (1), paragraphs (e) and (g) of subsection (3), paragraph (c) of subsection (5), subsection (6), paragraph (d) of subsection (7), and subsections (11) and (14) of section 112.061, Florida Statutes, are amended to read:

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

(1) ~~LEGISLATIVE INTENT.--To prevent 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~~ standard travel reimbursement ~~uniform maximum~~ rates, procedures, and limitations, with certain justifiable exceptions and exemptions, applicable to all public officers, employees, and authorized persons whose travel is authorized and ~~expenses are~~ paid by a public agency.

(b) To preserve the standardization ~~and uniformity~~ established by this law:

1. The provisions of this section shall prevail over

576-2105-06

1 any conflicting provisions in a general law, present or
2 future, to the extent of the conflict; but if any such general
3 law contains a specific exemption from this section, including
4 a specific reference to this section, such general law shall
5 prevail, but only to the extent of the exemption.

6 2. The provisions of any special or local law, present
7 or future, shall prevail over any conflicting provisions in
8 this section, but only to the extent of the conflict.

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

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

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

23 (5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.--For
24 purposes of reimbursement and methods of calculating
25 fractional days of travel, the following principles are
26 prescribed:

27 ~~(c) For the 2005-2006 fiscal year only and~~
28 ~~notwithstanding the other provisions of this subsection, for~~
29 ~~Class C travel, a state traveler shall not be reimbursed on a~~
30 ~~per diem basis nor shall a traveler receive subsistence~~
31 ~~allowance. This paragraph expires July 1, 2006.~~

576-2105-06

1 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.--For
 2 purposes of reimbursement rates and methods of calculation,
 3 per diem and subsistence allowances are provided as follows
 4 ~~divided into the following groups and rates:~~

5 (a) All travelers shall be allowed for subsistence
 6 when traveling to a convention or conference or when traveling
 7 within or outside the state in order to conduct bona fide
 8 state business, which convention, conference, or business
 9 serves a direct and lawful public purpose with relation to the
 10 public agency served by the person attending such meeting or
 11 conducting such business, either of the following for each day
 12 of such travel at the option of the traveler:

- 13 1. Eighty ~~Fifty~~ dollars per diem; or
- 14 2. If actual expenses exceed \$80 ~~\$50~~, the amounts
- 15 permitted in paragraph (b) for subsistence ~~meals~~, plus actual
- 16 expenses for lodging at a single-occupancy rate to be
- 17 substantiated by paid bills therefor.

18
 19 When lodging or meals are provided at a state institution, the
 20 traveler shall be reimbursed only for the actual expenses of
 21 such lodging or meals, not to exceed the maximum provided for
 22 in this subsection.

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

- 26 1. Breakfast.....\$6 ~~\$3~~
- 27 2. Lunch.....\$11 ~~\$6~~
- 28 3. Dinner.....\$19 ~~\$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.

576-2105-06

1 ~~(d) For the 2005-2006 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, 2006.~~

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:7

11 a. ~~A~~ The traveler shall be entitled to a mileage
 12 allowance at a ~~fixed~~ rate of 44.5 ~~25~~ cents per mile; ~~for state~~
 13 ~~fiscal year 1994-1995 and 29 cents per mile thereafter~~ or

14 b. A traveler shall be entitled to the common carrier
 15 fare for such travel if, as determined by the agency head to
 16 be more economical.

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,

576-2105-06

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

576-2105-06

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 (14) APPLICABILITY TO COUNTIES, COUNTY OFFICERS,
 13 DISTRICT SCHOOL BOARDS, AND SPECIAL DISTRICTS.--

14 (a) The following entities may establish rates that
 15 vary from the per diem rate provided in paragraph (6)(a), the
 16 subsistence rates provided in paragraph (6)(b), or the mileage
 17 rate provided in paragraph (7)(d) if those rates are not less
 18 than the statutorily established rates that are in effect for
 19 the 2005-2006 fiscal year ~~Rates that exceed the maximum travel~~
 20 ~~reimbursement rates for nonstate travelers specified in~~
 21 ~~paragraph (6)(a) for per diem, in paragraph (6)(b) for~~
 22 ~~subsistence, and in subparagraph (7)(d)1. for mileage may be~~
 23 ~~established by:~~

24 1. The governing body of a county by the enactment of
 25 an ordinance or resolution;

26 2. A county constitutional officer, pursuant to s.
 27 1(d), Art. VIII of the State Constitution, by the
 28 establishment of written policy;

29 3. The governing body of a district school board by
 30 the adoption of rules; or

31 4. The governing body of a special district, as

576-2105-06

1 defined in s. 189.403(1), except those special districts that
2 are subject to s. 166.021(10), by the enactment of a
3 resolution.

4 (b) Rates established pursuant to paragraph (a) must
5 apply uniformly to all travel by the county, county
6 constitutional officer and entity governed by that officer,
7 district school board, or special district.

8 (c) Except as otherwise provided in this subsection,
9 counties, county constitutional officers and entities governed
10 by those officers, district school boards, and special
11 districts, other than those subject to s. 166.021(10), remain
12 subject to the requirements of this section.

13 Section 2. This act shall take effect July 1, 2006.

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