

By Senator Lawson

6-381-06

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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.

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

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

(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 2006-2007, 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 2006-2007 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 2006-2007 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 2006-2007 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 2005-2006 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, 2006.~~

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, 2007, 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, 2005. 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, 2006.

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21 |                         SENATE SUMMARY

22 | Restates legislative intent with respect to establishing  
23 | rates of reimbursement for official travel. Increases the  
24 | rate of per diem and subsistence and provides a mechanism  
25 | for future adjustment of such rates based on cost of  
26 | living.  
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