

1 A bill to be entitled
 2 An act relating to per diem and travel expenses; amending
 3 s. 112.061, F.S.; revising per diem, subsistence, and
 4 mileage rates for purposes of reimbursement of travel
 5 expenses of public officers, employees, and authorized
 6 persons; providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Subsection (1), paragraphs (e) and (g) of
 11 subsection (3), paragraph (c) of subsection (5), subsection (6),
 12 paragraph (d) of subsection (7), and subsections (11) and (14) of
 13 section 112.061, Florida Statutes, are amended to read:

14 112.061 Per diem and travel expenses of public officers,
 15 employees, and authorized persons.--

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

21 (a) To ~~remedy same and to~~ establish standard travel
 22 reimbursement uniform maximum rates, procedures, and limitations,
 23 with certain justifiable exceptions and exemptions, applicable to
 24 all public officers, employees, and authorized persons whose
 25 travel is authorized and ~~expenses are~~ paid by a public agency.

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

28 1. The provisions of this section shall prevail over any
 29 conflicting provisions in a general law, present or future, to

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30 the extent of the conflict; but if any such general law contains
31 a specific exemption from this section, including a specific
32 reference to this section, such general law shall prevail, but
33 only to the extent of the exemption.

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

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

38 (e) The agency head, or a designated representative, may
39 pay by advancement or reimbursement, or a combination thereof,
40 the costs of per diem of travelers ~~and authorized persons~~ for
41 foreign travel at the current rates as specified in the federal
42 publication "Standardized Regulations (Government Civilians,
43 Foreign Areas)" and incidental expenses as provided in this
44 section.

45 (g) The secretary of the Department of Health or a designee
46 may authorize travel expenses incidental to the rendering of
47 medical services for and on behalf of clients of the Department
48 of Health. The Department of Health may establish rates lower
49 than the rate ~~maximum~~ provided in this section for these travel
50 expenses.

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

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

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

63 (a) All travelers shall be allowed for subsistence when
 64 traveling to a convention or conference or when traveling within
 65 or outside the state in order to conduct bona fide state
 66 business, which convention, conference, or business serves a
 67 direct and lawful public purpose with relation to the public
 68 agency served by the person attending such meeting or conducting
 69 such business, either of the following for each day of such
 70 travel at the option of the traveler:

- 71 1. Seventy-five ~~Fifty~~ dollars per diem; or
- 72 2. If actual expenses exceed \$75 ~~\$50~~, the amounts permitted
 73 in paragraph (b) for subsistence ~~meals~~, plus actual expenses for
 74 lodging at a single-occupancy rate to be substantiated by paid
 75 bills therefor.

76
 77 When lodging or meals are provided at a state institution, the
 78 traveler shall be reimbursed only for the actual expenses of such
 79 lodging or meals, not to exceed the maximum provided for in this
 80 subsection.

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

- 84 1. Breakfast....\$5 ~~\$3~~
- 85 2. Lunch....\$11 ~~\$6~~
- 86 3. Dinner....\$19 ~~\$12~~

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

90 ~~(d) For the 2005-2006 fiscal year only and notwithstanding~~
 91 ~~the other provisions of this subsection, for Class C travel, a~~
 92 ~~state traveler shall not be reimbursed on a per diem basis nor~~
 93 ~~shall a traveler receive subsistence allowance. This paragraph~~
 94 ~~expires July 1, 2006.~~

95 (7) TRANSPORTATION.--

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

100 a. The traveler shall be entitled to a mileage allowance at
 101 a fixed rate of 44.5 ~~25~~ cents per mile; ~~for state fiscal year~~
 102 ~~1994-1995 and 29 cents per mile thereafter~~ or

103 b. The traveler shall be entitled to the common carrier
 104 fare for such travel if,~~as~~ determined by the agency head to be
 105 more economical.

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

111 ~~3.2.~~ All mileage shall be shown from point of origin to
 112 point of destination and, when possible, shall be computed on the
 113 basis of the current map of the Department of Transportation.
 114 Vicinity mileage necessary for the conduct of official business

115 is allowable but must be shown as a separate item on the expense
116 voucher.

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

118 (a) Authorization forms.--The Department of Financial
119 Services shall furnish a uniform travel authorization request
120 form which shall be used by all state officers, and employees,
121 and authorized persons when requesting approval for the
122 performance of travel to a convention or conference. The form
123 shall include, but not be limited to, provision for the name of
124 each traveler, purpose of travel, period of travel, estimated
125 cost to the state, and a statement of benefits accruing to the
126 state by virtue of such travel. A copy of the program or agenda
127 of the convention or conference, itemizing registration fees and
128 any meals or lodging included in the registration fee, shall be
129 attached to, and filed with, the copy of the travel authorization
130 request form on file with the agency. The form shall be signed by
131 the traveler and by the traveler's supervisor stating that the
132 travel is to be incurred in connection with official business of
133 the state. The head of the agency or his or her designated
134 representative shall not authorize or approve such request in the
135 absence of the appropriate signatures. A copy of the travel
136 authorization form shall be attached to, and become a part of,
137 the support of the agency's copy of the travel voucher.

138 (b) Voucher forms.--

139 1. The Department of Financial Services shall furnish a
140 uniform travel voucher form which shall be used by all state
141 officers, and employees, and authorized persons when submitting
142 travel expense statements for approval and payment. No travel
143 expense statement shall be approved for payment by the Chief

144 Financial Officer unless made on the form prescribed and
 145 furnished by the department. The travel voucher form shall
 146 provide for, among other things, the purpose of the official
 147 travel and a certification or affirmation, to be signed by the
 148 traveler, indicating the truth and correctness of the claim in
 149 every material matter, that the travel expenses were actually
 150 incurred by the traveler as necessary in the performance of
 151 official duties, that per diem claimed has been appropriately
 152 reduced for any meals or lodging included in the convention or
 153 conference registration fees claimed by the traveler, and that
 154 the voucher conforms in every respect with the requirements of
 155 this section. The original copy of the executed uniform travel
 156 authorization request form shall be attached to the uniform
 157 travel voucher on file with the respective agency.

158 2. Statements for travel expenses incidental to the
 159 rendering of medical services for and on behalf of clients of the
 160 Department of Health shall be on forms approved by the Department
 161 of Financial Services.

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

164 (a) The following entities may establish rates that vary
 165 from the per diem rate provided in paragraph (6) (a), the
 166 subsistence rates provided in paragraph (6) (b), or the mileage
 167 rate provided in paragraph (7) (d) if those rates are not less
 168 than the statutorily established rates that are in effect for the
 169 2005-2006 fiscal year ~~Rates that exceed the maximum travel~~
 170 ~~reimbursement rates for nonstate travelers specified in paragraph~~
 171 ~~(6) (a) for per diem, in paragraph (6) (b) for subsistence, and in~~
 172 ~~subparagraph (7) (d) 1. for mileage may be established by:~~

173 | 1. The governing body of a county by the enactment of an
174 | ordinance or resolution;

175 | 2. A county constitutional officer, pursuant to s. 1(d),
176 | Art. VIII of the State Constitution, by the establishment of
177 | written policy;

178 | 3. The governing body of a district school board by the
179 | adoption of rules; or

180 | 4. The governing body of a special district, as defined in
181 | s. 189.403(1), except those special districts that are subject to
182 | s. 166.021(10), by the enactment of a resolution.

183 | (b) Rates established pursuant to paragraph (a) must apply
184 | uniformly to all travel by the county, county constitutional
185 | officer and entity governed by that officer, district school
186 | board, or special district.

187 | (c) Except as otherwise provided in this subsection,
188 | counties, county constitutional officers and entities governed by
189 | those officers, district school boards, and special districts,
190 | other than those subject to s. 166.021(10), remain subject to the
191 | requirements of this section.

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