

CHAMBER ACTION

1 The Fiscal Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

12
13 Be It Enacted by the Legislature of the State of Florida:

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

19 112.061 Per diem and travel expenses of public officers,
20 employees, and authorized persons.--

21 (1) LEGISLATIVE INTENT.--To prevent ~~There are~~ inequities,
22 conflicts, inconsistencies, and lapses in the numerous laws
23 regulating or attempting to regulate travel expenses of public

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24 | officers, employees, and authorized persons in the state, ~~it is~~ it is
25 | the intent of the Legislature:

26 | (a) To ~~remedy same and to~~ establish standard travel
27 | reimbursement ~~uniform maximum~~ rates, procedures, and
28 | limitations, with certain justifiable exceptions and exemptions,
29 | applicable to all public officers, employees, and authorized
30 | persons whose travel is authorized and ~~expenses are~~ paid by a
31 | public agency.

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

34 | 1. The provisions of this section shall prevail over any
35 | conflicting provisions in a general law, present or future, to
36 | the extent of the conflict; but if any such general law contains
37 | a specific exemption from this section, including a specific
38 | reference to this section, such general law shall prevail, but
39 | only to the extent of the exemption.

40 | 2. The provisions of any special or local law, present or
41 | future, shall prevail over any conflicting provisions in this
42 | section, but only to the extent of the conflict.

43 | (3) AUTHORITY TO INCUR TRAVEL EXPENSES.--

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

51 (g) The secretary of the Department of Health or a
 52 designee may authorize travel expenses incidental to the
 53 rendering of medical services for and on behalf of clients of
 54 the Department of Health. The Department of Health may establish
 55 rates lower than the rate ~~maximum~~ provided in this section for
 56 these travel expenses.

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

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

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

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

- 77 1. Seventy-five ~~Fifty~~ dollars per diem; or

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78 | 2. If actual expenses exceed \$75 ~~\$50~~, the amounts
79 | permitted in paragraph (b) for subsistence ~~meals~~, plus actual
80 | expenses for lodging at a single-occupancy rate to be
81 | substantiated by paid bills therefor.

82 |
83 | When lodging or meals are provided at a state institution, the
84 | traveler shall be reimbursed only for the actual expenses of
85 | such lodging or meals, not to exceed the maximum provided for in
86 | this subsection.

87 | (b) All travelers shall be allowed the following amounts
88 | for subsistence while on Class C travel on official business as
89 | provided in paragraph (5) (b) :

- 90 | 1. Breakfast....\$5 ~~\$3~~
- 91 | 2. Lunch....\$11 ~~\$6~~
- 92 | 3. Dinner....\$19 ~~\$12~~

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

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

101 | (7) TRANSPORTATION.--

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

105 | Whenever travel is by privately owned vehicle:7

106 a. The traveler shall be entitled to a mileage allowance
 107 at a fixed rate of 44.5 ~~25~~ cents per mile; ~~for state fiscal year~~
 108 ~~1994-1995 and 29 cents per mile thereafter~~ or

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

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

117 3.2- All mileage shall be shown from point of origin to
 118 point of destination and, when possible, shall be computed on
 119 the basis of the current map of the Department of
 120 Transportation. Vicinity mileage necessary for the conduct of
 121 official business is allowable but must be shown as a separate
 122 item on the expense voucher.

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

124 (a) Authorization forms.--The Department of Financial
 125 Services shall furnish a uniform travel authorization request
 126 form which shall be used by all state officers, and employees,
 127 and authorized persons when requesting approval for the
 128 performance of travel to a convention or conference. The form
 129 shall include, but not be limited to, provision for the name of
 130 each traveler, purpose of travel, period of travel, estimated
 131 cost to the state, and a statement of benefits accruing to the
 132 state by virtue of such travel. A copy of the program or agenda
 133 of the convention or conference, itemizing registration fees and

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134 any meals or lodging included in the registration fee, shall be
135 attached to, and filed with, the copy of the travel
136 authorization request form on file with the agency. The form
137 shall be signed by the traveler and by the traveler's supervisor
138 stating that the travel is to be incurred in connection with
139 official business of the state. The head of the agency or his or
140 her designated representative shall not authorize or approve
141 such request in the absence of the appropriate signatures. A
142 copy of the travel authorization form shall be attached to, and
143 become a part of, the support of the agency's copy of the travel
144 voucher.

145 (b) Voucher forms.--

146 1. The Department of Financial Services shall furnish a
147 uniform travel voucher form which shall be used by all state
148 officers, ~~and~~ employees, and authorized persons when submitting
149 travel expense statements for approval and payment. No travel
150 expense statement shall be approved for payment by the Chief
151 Financial Officer unless made on the form prescribed and
152 furnished by the department. The travel voucher form shall
153 provide for, among other things, the purpose of the official
154 travel and a certification or affirmation, to be signed by the
155 traveler, indicating the truth and correctness of the claim in
156 every material matter, that the travel expenses were actually
157 incurred by the traveler as necessary in the performance of
158 official duties, that per diem claimed has been appropriately
159 reduced for any meals or lodging included in the convention or
160 conference registration fees claimed by the traveler, and that
161 the voucher conforms in every respect with the requirements of

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

165 | 2. Statements for travel expenses incidental to the
 166 | rendering of medical services for and on behalf of clients of
 167 | the Department of Health shall be on forms approved by the
 168 | Department of Financial Services.

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

171 | (a) The following entities may establish rates that vary
 172 | from the per diem rate provided in paragraph (6) (a), the
 173 | subsistence rates provided in paragraph (6) (b), or the mileage
 174 | rate provided in paragraph (7) (d) if those rates are not less
 175 | than the statutorily established rates that are in effect for
 176 | the 2005-2006 fiscal year ~~Rates that exceed the maximum travel~~
 177 | ~~reimbursement rates for nonstate travelers specified in~~
 178 | ~~paragraph (6) (a) for per diem, in paragraph (6) (b) for~~
 179 | ~~subsistence, and in subparagraph (7) (d) 1. for mileage may be~~
 180 | ~~established by:~~

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

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

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

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

191 (b) Rates established pursuant to paragraph (a) must apply
192 uniformly to all travel by the county, county constitutional
193 officer and entity governed by that officer, district school
194 board, or special district.

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

200 Section 2. For the 2006-2007 fiscal year, the sum of \$8.4
201 million in recurring funds from the General Revenue Fund and
202 \$12.7 million in recurring funds from Trust Funds are
203 appropriated in Administered Funds for distribution to the
204 agencies to administer the provisions of this act.

205 Section 3. This act shall take effect July 1, 2006.