

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Criminal Justice Committee

BILL: SB 90

INTRODUCER: Senators Fasano, Bennett, and Smith

SUBJECT: State Travel Expenses

DATE: January 26, 2006

REVISED: 02/08/06

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Davis</u>	<u>Cannon</u>	<u>CJ</u>	Favorable
2.	<u></u>	<u></u>	<u>GO</u>	<u></u>
3.	<u></u>	<u></u>	<u>WM</u>	<u></u>
4.	<u></u>	<u></u>	<u></u>	<u></u>
5.	<u></u>	<u></u>	<u></u>	<u></u>
6.	<u></u>	<u></u>	<u></u>	<u></u>

I. Summary:

This legislation would increase the state travel allowance or reimbursement mileage rate for correctional probation officers from the current rate of 29 cents per mile to the business standard mileage rate established in the I.R.S. code. The I.R.S. rate for 2006 is 44.5 cents per mile but the rate changes annually.

This bill amends section 112.061, Florida Statutes.

II. Present Situation:

Section 112.061(7)(d)1., F.S., authorizes a travel allowance or reimbursement rate of 29 cents per mile for state employees who use their private vehicles for official state travel. This rate was placed in statute in 1994 to take effect after fiscal year 1994-95. It has not been amended since then.

Currently state correctional probation officers are required to use their own vehicles to make contact visits with the probationers that they supervise. Some probation officers have reported driving an average of 500 miles per month in their own vehicles while others have reported driving as much as 1600, 1700, and 2200 miles per month to perform their jobs.¹

The Department of Corrections reports that it employs 2,357 men and women as probation officers. According to the department's data those officers drove their personal vehicles 12,333,411 miles on state business between July 1, 2004, and June 30, 2005, for an average of

¹ Data supplied from a survey conducted by the Police Benevolent Association, Inc. in September 2005.

436 miles per month. The department's 2004-2005 cost for reimbursement to the officers was \$3,576,689.

According to the Internal Revenue Service the standard mileage rate for business travel expenses in 2005 was 40.5 cents per mile up from 37.5 cents a mile in 2004. Recognizing that gas prices increased after the hurricanes of 2005, the I.R.S. made a special adjustment on September 9, 2005, and increased the rate to 48.5 cents per mile for the period from September 1 through December 31, 2005.

The I.R.S. has now determined that the 2006 standard mileage rates used to calculate the deductible costs of operating an automobile for business will be 44.5 cents per mile.

III. Effect of Proposed Changes:

This bill would increase the travel allowance reimbursement rate for correctional probation officers from 29 cents per mile to 44.5 cents per mile in 2006. Because the state rate would be tied to the I.R.S. standard mileage rate, it could change each year. Accordingly, the statutes would not need to be amended each time a new rate increase was authorized.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This rate increase from 29 cents per mile to 44.5 cents per mile will have a substantial impact on the Department of Corrections. The department estimates that the 15.5 cents per mile increase multiplied by 2,357 officers will result in an additional expenditure of approximately \$1,911,679 for 2006-2007. This figure assumes one consistent rate for the

entire fiscal year. However, the actual cost could be more if the IRS rate increases in 2007. The figure would likely increase each year because the standard mileage rate increases annually in January.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

None.

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