

SENATE BILL NO. 53

INTRODUCED BY J. SESSO

BY REQUEST OF THE LEGISLATIVE COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING TRAVEL REIMBURSEMENT RATES FOR STATE AND LOCAL PUBLIC EMPLOYEES; INCREASING IN-STATE MEAL REIMBURSEMENT RATES FOR STATE EMPLOYEES; CLARIFYING MEAL, LODGING, AND FOREIGN TRAVEL RATES FOR STATE AND LOCAL PUBLIC EMPLOYEES; CODIFYING CURRENT POLICY FOR LOCAL GOVERNMENT EMPLOYEE TRAVEL REIMBURSEMENT; AMENDING SECTION 2-18-501, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Meals, lodging, and transportation expenses.** Except as provided in 7-5-2142 through 7-5-2145, 7-5-4141, and 7-5-4142, an employee of an agency, as defined in 7-4-502, is entitled to the meal, lodging, and transportation expenses as provided under 2-18-501 when traveling for official agency business.

Section 2. Section 2-18-501, MCA, is amended to read:

"2-18-501. Meals, lodging, and transportation of persons in state service. All elected state officials, appointed members of boards, commissions, or councils, department directors, and all other state employees must be reimbursed for meals and lodging while away from the person's designated headquarters and engaged in official state business in accordance with the following provisions:

(1) Except as provided under subsection (3), for travel within the state of Montana;

(a) lodging must be authorized at the actual cost of lodging, not exceeding ~~\$35~~ the prescribed federal standard rate per day for the location involved, and taxes on the allowable cost of lodging, ~~except as provided in subsection (3), plus \$5 for the morning meal, \$6 for the midday meal, and \$12 for the evening meal.~~ All claims for lodging expense reimbursement allowed under this section must be documented by an appropriate receipt.

(b) ~~except as provided in subsection (10), meal reimbursement must be 75% of the prescribed federal standard rate for Montana per meal. All claims for lodging expense reimbursement allowed under this section must be documented by an appropriate receipt.~~

1 (2) Except as provided in subsection (3), for travel outside the state of Montana and within the United
2 States, the following provisions apply:

3 (a) Lodging must be reimbursed at actual cost, not to exceed the prescribed ~~maximum~~ standard federal
4 rate per day for the location involved plus taxes on the allowable cost.

5 (b) Meal reimbursement ~~may not exceed~~ must be the prescribed ~~maximum~~ standard federal rate per
6 meal.

7 (3) Except as provided in subsection (10), the department of administration shall designate the locations
8 and circumstances under which the governor, other elected state officials, appointed members of boards,
9 commissions, or councils, department directors, and all other state employees may be authorized the actual cost
10 of the following:

11 (a) meals, not including alcoholic beverages, when the actual cost exceeds the maximum established
12 in subsection (4)~~(a)~~; and

13 (b) lodging when the actual cost exceeds the maximum established in subsection (1)~~(a)~~, (2)(a), or (4)~~(a)~~.

14 (4) Except as provided in subsection (3), for travel to a foreign country, ~~the following provisions apply:~~

15 ~~—— (a) All all elected state officials, all appointed members of boards, commissions, and councils, all
16 department directors, and all other state employees must be reimbursed ~~as follows:~~~~

17 ~~—— (i) \$7 for the morning meal, \$11 for the midday meal, and \$18 for the evening meal; and~~

18 ~~—— (ii) \$155 per night for lodging.~~

19 ~~—— (b) for meals and lodging at the applicable meal or lodging rate for the foreign country and location
20 involved as published by the United States department of state. All claims for meal and lodging reimbursement
21 allowed under this subsection (4) must be documented by an appropriate receipt.~~

22 (5) When other than commercial, nonreceiptable lodging facilities are used by a state official or employee
23 while conducting official state business in a travel status, the amount of \$12 is authorized for lodging expenses
24 for each day in which travel involves an overnight stay in lieu of the amount authorized in subsection (1)~~(a)~~ or
25 (2)(a). However, when overnight accommodations are provided at the expense of a government entity,
26 reimbursement may not be claimed for lodging.

27 (6) The actual cost of reasonable transportation expenses and other necessary business expenses
28 incurred by a state official or employee while in an official travel status is subject to reimbursement.

29 (7) The provisions of this section may not be construed as affecting the validity of 5-2-301.

30 (8) The department of administration shall establish policies necessary to effectively administer this

1 section for state government.

2 (9) All commercial air travel must be by the least expensive class service available.

3 (10) When the actual cost of meals exceeds the maximum standard allowed pursuant to subsection (1),

4 the department of administration may authorize the actual cost of meals for firefighters.

5 (11) For the purposes of implementing subsection (10), the following definitions apply:

6 (a) "Firefighter" means a firefighter who is employed by the department of natural resources and
7 conservation and who is directly involved in the suppression of a wildfire in Montana.

8 (b) "Wildfire" means an unplanned, unwanted fire burning uncontrolled and consuming vegetative fuels."

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10 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
11 integral part of Title 7, chapter 4, part 1, and the provisions of Title 7, chapter 4, part 1, apply to [section 1].

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13 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2020.

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