

ENGROSSED SENATE  
BILL NO. 898

BY: MICKLE of the SENATE

and

STEIDLEY of the HOUSE

[ STATE TRAVEL REIMBURSEMENT ACT - AMENDING 74 O.S.,  
SECTIONS 291, 500.4, 500.8, 500.9, 500.9A, 500.17  
AND 500.18 -

EMERGENCY ]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 1991, Section 291, is amended to read as follows:

Section 291. Members of the Legislature ~~shall receive mileage reimbursement, for the use of privately owned vehicles, at the rate of twenty and one-half cents (\$0.205) per mile~~ shall receive the maximum mileage reimbursement allowed by the Internal Revenue Service for the number of miles necessarily and conveniently traveled by the most usual and feasible route to be present upon convening of the regular or extraordinary sessions of the Legislature by such member in each and every trip in going to and returning from the place of meeting of the Legislature. Each member of the Legislature shall be entitled to mileage reimbursement for one (1) round trip per week in traveling to and from the meeting of the Legislature. A member of the Legislature not claiming per diem reimbursement may elect to receive mileage for not to exceed as many trips as there are legislative days for a week during each week the Legislature is actually in regular or extraordinary session,

provided that no single, round-trip mileage reimbursement may exceed the per diem allowance. Members of the Legislature ~~shall receive mileage reimbursement, for the use of privately owned vehicles, at the rate of twenty and one-half cents (\$0.205) per mile~~ shall receive the maximum mileage reimbursement allowed by the Internal Revenue Service for the number of miles necessarily and conveniently traveled by the most usual and feasible route to be present in attending meetings of committees of which they are members or to which they are invited by Committee Chairmen when the Legislature is not in session, subject to the approval of the presiding officer of each house for the members of the respective houses.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 500.4, is amended to read as follows:

Section 500.4 A. Authorized persons traveling on official state business within the State of Oklahoma may utilize railroads, airplanes, buses, whether intracity or intercity, or other public conveyance. Reimbursement for fares paid for airplane transportation shall not exceed coach class fare. Other public conveyance fares shall not exceed the normal charge, but in no instance may the fare exceed coach class airplane fare. Taxicab fares within the State of Oklahoma and communication charges may be reimbursed only upon justification as to the necessity for their use.

B. Agency heads or their authorized designees may approve the use of motor vehicles for official travel within the State of Oklahoma. If available, agency owned motor vehicles or motor vehicles leased from the State Motor Pool, either on a full-time basis or for individual trips, shall be utilized for such travel. Reimbursement for use of privately owned motor vehicles may be authorized by the agency head.

C. Reimbursement for authorized use of privately owned motor vehicles shall be ~~twenty four cents (\$0.24) per mile~~ equal to the

maximum mileage rate allowed by the Internal Revenue Service.

Distances for which reimbursement for use of privately owned motor vehicles is claimed shall not exceed distances set forth in the latest Transportation Commission road map. Vicinity travel on official business shall be entered on travel claims as a separate item.

D. The Office of State Finance shall notify state agencies in November of each year of any changes in the maximum mileage reimbursement rate allowed by the Internal Revenue Service. Any change in the rate shall be implemented on the following January 1.

SECTION 3. AMENDATORY 74 O.S. 1991, Section 500.8, is amended to read as follows:

Section 500.8 A reimbursement for ~~documented~~ meal and ~~incidental~~ expenses, per day, ~~cumulative~~, while in official travel status, of not to exceed Nineteen Dollars (\$19.00) within the State of Oklahoma and Twenty-five Dollars (\$25.00) outside the state is authorized. In computing reimbursement for meals ~~and incidentals~~, a day shall be a period of twenty-four (24) hours. Reimbursement for each one-fourth (1/4) day consisting of six (6) hours or major fraction thereof, more than three (3) hours, may be made at the rate of Four Dollars and seventy-five cents (\$4.75) in state and Six Dollars and twenty-five cents (\$6.25) out of state. Provided, however, that no reimbursement for meals ~~and incidentals~~ shall be made for periods which do not include overnight status. If meals, ~~incidentals~~ and lodging at a meeting, workshop, conference or other object of travel are furnished as a "package plan", reimbursement may be made, based upon a receipt, but at a daily rate of not to exceed the total daily rate provided in this act.

SECTION 4. AMENDATORY 74 O.S. 1991, Section 500.9, is amended to read as follows:

Section 500.9 A. Reimbursement for overnight lodging, while in official travel status, may be made at not to exceed Thirty-five

Dollars (\$35.00) or the actual cost, if lower, per night within the State of Oklahoma and not to exceed ~~Twenty-eight Dollars (\$28.00)~~ Thirty-five Dollars (\$35.00) or the actual cost, if lower, per night out of state except as provided in subsections ~~B~~, C, D and ~~D~~ F of this section and Section 500.9A of this title. Receipts issued by the hotel, motel or other public lodging place shall accompany claims for reimbursement.

B. A per diem allowance in lieu of subsistence may be authorized by a travel claim issued in accordance with Section 500.3 of this title. Not to exceed Twenty-nine Dollars (\$29.00) per diem may be authorized on the travel claim for the performance of travel outside the State of Oklahoma. In computing the per diem allowance a day shall be a period of twenty-four (24) hours. Reimbursement for each one-fourth (1/4) day consisting of six (6) hours or major fraction thereof, more than three (3) hours, may be made at the rate of Seven Dollars and twenty-five cents (\$7.25) in state and Eight Dollars and seventy-five cents (\$8.75) out of state. Provided, however, that no per diem shall be allowed pursuant to this section for periods of less than overnight in travel status. Reimbursement for expenses other than meals and lodging may also be made in accordance with the provisions of this act.

~~B~~. C. State officers or employees attending meetings, workshops, conferences or other objectives of trips which are conducted at a designated hotel, motel or other public lodging place or where lodging has been arranged for by the blocking of rooms or by rate reductions for the participants by the sponsor as evidenced by the announcement or notice of the meeting, workshop, conference or other objective shall be reimbursed the actual lodging expense not to exceed the single occupancy room rate charged by the designated hotel, motel or other public lodging place, provided that said officials or employees are in official travel status approved by the agency head or his designee. Provided further, those state

officers or employees attending meetings, workshops, conferences or other objectives of trips, which are conducted at a designated hotel, motel or other public lodging place as provided by this subsection, who choose to acquire less expensive lodging at another hotel, motel or other public lodging place shall be reimbursed the actual lodging expense not to exceed the single occupancy room rate charged by the designated hotel, motel or other public lodging place. Provided further, those state officers or employees so choosing this option shall not be reimbursed for local transportation costs incurred traveling between such optional lodging and the designated hotel, motel or other public lodging place. Receipts issued by the hotel, motel or other public lodging place shall accompany claims for reimbursement.

~~C.~~ D. The Legislature recognizes the existence of areas where the reimbursement is not sufficient to pay lodging costs, and wherein a higher lodging reimbursement should be allowed. It is hereby provided that any state officials or employees in official travel status out of the state in one of the designated high rate geographical areas shall be reimbursed their actual lodging expense up to a maximum of ~~Forty-five Dollars (\$45.00)~~ Sixty Dollars (\$60.00) per night, except as provided in Section 500.9A of this title. The high rate geographical areas are hereby designated as follows:

Anchorage, AK

Atlanta, GA

Baltimore, MD

Boston, MA including all locations within Middlesex, Norfolk and Suffolk Counties

Chicago, IL including all locations within Lake and Cook Counties

Dallas and Fort Worth, TX including all locations within Dallas and Tarrant Counties

Denver, CO including all locations within Denver, Adams,  
Arapahoe and Jefferson Counties

Detroit, MI

Honolulu, HI

Houston, TX including all locations within the corporate limits  
of Houston

Kansas City, MO and Kansas City, KS

Los Angeles, CA including all locations within Los Angeles,  
Orange and Ventura Counties

Miami, FL including all locations within Dade, Broward, Palm  
Beach and Monroe Counties

Minneapolis-St. Paul, MN including all locations within Anoka,  
Hennepin and Ramsey Counties

New Orleans, LA including all locations within Jefferson,  
Orleans, Plaquemines and St. Bernard Parishes

New York, NY including all locations within the boroughs of the  
Bronx, Brooklyn, Manhattan, Queens and Staten Island and the  
counties of Nassau and Suffolk

Newark, NJ including all locations within Bergen, Essex, Hudson,  
Passaic and Union Counties

Philadelphia, PA including all locations within Philadelphia and  
Bala Cynwyd, PA

Pittsburgh, PA

St. Louis, MO

San Diego, CA including all locations within San Diego County

San Francisco and Oakland, CA including all locations within San  
Francisco and Alameda Counties

San Jose, CA including all locations within Santa Clara County

Seattle, WA including all locations within King County

Washington, DC including all locations within the corporate  
limits of Washington, DC, the cities of Alexandria, Falls Church and  
Fairfax, and the counties of Arlington, Loudoun and Fairfax in

Virginia, and the counties of Montgomery and Prince Georges in Maryland.

E. State officers and employees who have been required to attend hearings or meetings of any congressional committee or subcommittee or any federal agency, board or commission shall be reimbursed for their actual and necessary travel and lodging expenses; however, the agency head must approve any claims in connection with such expenses.

~~D.~~ F. Reimbursement for meals and lodging on out-of-state trips shall not begin more than twenty-four (24) hours before the meeting, workshop, conference or other objective of trip begins and shall not continue more than twenty-four (24) hours after said meeting, workshop, conference or other objective of trip ends.

~~E.~~ G. Reimbursement for meals and lodging incurred in official travel in areas outside of the United States to implement the objectives of contracts, grants, agreements or gifts for which funds from these sources are furnished shall be reimbursed from said funds at actual cost not to exceed the amount authorized United States Government employees in its periodical publication entitled "Standard Regulations (Government Civilians, Foreign Areas), Department of State, Washington, DC".

~~F.~~ H. Claims submitted to the Director of State Finance for payment under the provisions of this section shall be certified to by the principal fiscal officer or contract and grant administrator of each agency. Such officer shall certify that such claim complies with and is authorized under this section.

SECTION 5. AMENDATORY 74 O.S. 1991, Section 500.9A, is amended to read as follows:

Section 500.9A ~~Meals, incidentals~~ Per diem payments, travel and other actual and necessary expenses may be paid if same is provided for in any contract or grant.

SECTION 6. AMENDATORY 74 O.S. 1991, Section 500.17, is amended to read as follows:

Section 500.17 All state departments, boards, commissions and institutions shall make a review each quarter year of its travel expenditures during the previous quarter year, and the head of such agency shall be authorized to make reductions in ~~allowances for meals and incidentals~~ the per diem he approves as determined necessary.

SECTION 7. AMENDATORY 74 O.S. 1991, Section 500.18, is amended to read as follows:

Section 500.18 A. Except for members of the Legislature, the Governor and the Lieutenant Governor, provisions of Sections 500.1 through 500.18 of this title shall be mandatory as to all officials and employees of all departments, boards, commissions and institutions of the state, regardless of the provisions of any other act of the Legislature, except as provided by this section. The enactment of any measure in the future providing for travel reimbursement of state officers and employees on the basis of "actual and necessary" expenses or in any other manner inconsistent with Sections 500.1 through 500.18 of this title shall be deemed to provide for reimbursement in accordance with Sections 500.1 through 500.18 of this title unless a contrary intent is explicitly expressed in this section. Sections 500.1 through 500.18 of this title shall not apply, however, to travel reimbursements made by political subdivisions of this state, except as otherwise provided by law.

B. The agencies listed below are authorized certain exceptions and/or exemptions to the provisions of Sections 500.1 through 500.18 of this title to the extent specified:

1. State Department of Agriculture:

The actual and reasonable expenses of travel and subsistence in pursuing and developing markets for Oklahoma agricultural products

incurred by the Commissioner, Deputy Commissioner and such employees designated by the State Board of Agriculture within the marketing development programs of the Department of Agriculture shall be reimbursed to the employee incurring such expenses. Reimbursement of such expenses shall be in accordance with rules and regulations adopted by the Board. Such expenses claimed shall, prior to reimbursement, be reviewed by the Board at each regular meeting and individually approved or disapproved.

2. Wheat Utilization, Research and Market Development

Commission:

The actual and reasonable expenses of travel, lodging and subsistence in pursuing and developing markets for Oklahoma wheat and wheat products incurred by the Commission, staff and such persons authorized by the Commission shall be reimbursed to the person incurring such expenses. Expenses of wheat trade officials on wheat trade missions from foreign countries and from other states can be reimbursed to the person previously authorized by the Commission to incur the expense. No actual and reasonable expenses shall be paid except for time spent working with wheat trade officials on wheat trade missions. Reimbursement of such expenses shall be made in accordance with rules and regulations adopted by the Commission. Such expenses claimed shall, prior to reimbursement, be reviewed by the Commission at each regular meeting and individually approved or disapproved.

3. Department of Public Safety:

Not more than seven personnel assigned by the Commissioner for executive security shall be allowed their actual and necessary traveling expenses, upon claims approved by the Commissioner, when traveling with the Governor or at his request.

4. Department of Corrections:

The Department of Corrections shall be exempt from limitations of reimbursement for rented automobiles, as set forth in Section

500.5 of Title 74 of the Oklahoma Statutes, when such rental is by a Correctional Officer or Transportation Officer for the limited purpose of transporting inmates. Reimbursement for such expense shall be on the basis of actual cost.

5. Oklahoma Tourism and Recreation Department:

Authorization is provided the Oklahoma Tourism and Recreation Commission and Department staff who promote in-state and out-of-state business to Oklahoma's state-operated parks and lodges and the tourism and recreation industry, the actual and necessary expense of travel, subsistence and entertainment for this purpose. Reimbursement of all actual and necessary expenses shall be in accordance with rules and regulations adopted by the Commission on Tourism and Recreation. Such expenses claimed shall prior to reimbursement be reviewed by the Commission at each regular meeting and individually approved or disapproved.

6. Oklahoma Department of Commerce:

- a. The actual and necessary expenses incurred by the Director and other employees of the Department authorized by the Director for the purpose of business recruitment shall be reimbursed to such employee. Reimbursement of such expenses shall be in accordance with rules and regulations adopted by the Director of the Oklahoma Department of Commerce. Such expenses claimed shall prior to reimbursement be reviewed by the Director and individually approved or disapproved.
- b. The Department, at the discretion of the Director, may charter aircraft for the purposes of carrying out its duties and responsibilities related to business recruitment and to implement the duties of the Director. The cost of such charter shall be exempt from the provisions of Section 500.6 of this title.

Claims filed with the Office of State Finance shall bear the following certification:

The best interests of the citizens of Oklahoma were better served in that conventional ground transportation was not practical or feasible for this trip, aircraft from the Department of Public Safety was not available for this trip, and no other claim has been or will be filed as a payment for the cost of transportation in connection with this trip herein claimed.

7. Office of Public Affairs:

The actual expenses of travel and subsistence incurred by the Director, Assistant Director and any employee approved by the Director of the Office of Public Affairs outside the state in recruiting and evaluating professional money managers for the state's pension funds shall be reimbursed to the employee incurring such expenses. Reimbursement for lodging expenses shall be supported by three telephone bids from hotels within a reasonable distance of the activity for which the travel was approved.

8. Oklahoma Futures:

The actual and necessary expenses incurred by the members of Oklahoma Futures in the performance of their duties shall be reimbursed to the members incurring such expenses. Reimbursement of all actual and necessary expenses shall be in accordance with rules and regulations adopted by Oklahoma Futures.

9. Oklahoma Development Finance Authority:

The actual and necessary expenses incurred by the members and employees of the Oklahoma Development Finance Authority in the performance of their duties shall be reimbursed to the person incurring such expenses. Reimbursement of all actual and necessary expenses shall be in accordance with the bylaws of the Authority.

10. Oklahoma Center for the Advancement of Science and Technology:

The actual and necessary expenses incurred by the members and employees of the Oklahoma Center for the Advancement of Science and Technology in the performance of their duties shall be reimbursed to the person incurring such expenses. Reimbursement of all actual and necessary expenses shall be in accordance with the bylaws of the Center.

11. Center for International Trade Development:

The actual and necessary expenses of travel, lodging and subsistence incurred by the Director and authorized employees of the Center for International Trade Development for performance of their duties for the purpose of business recruitment and assistance shall be reimbursed to the person incurring such expenses. Reimbursement of such expenses shall be in accordance with the rules and regulations adopted by the Director of the Center for International Trade Development. Such expenses claimed shall be reviewed and individually approved or disapproved, prior to reimbursement, first by the Director, and finally by either the Vice President, Business and Finance of Oklahoma State University or the President of Oklahoma State University.

12. Oklahoma State Bureau of Investigation:

The actual and necessary expenses incurred by the Director and other employees of the Bureau authorized by the Director as a result of conducting investigations shall be reimbursed to each such employee incurring the expenses. Reimbursement of the expenses shall be in accordance with rules and regulations adopted by the Director of the Oklahoma State Bureau of Investigation. Prior to reimbursement, expenses claimed shall be reviewed by the Director and individually approved or disapproved.

13. Department of Human Services:

- a. The actual and necessary expenses of travel, lodging and subsistence incurred by employees of the Legal Division in the performance of their duties for the purpose of representing the Department of Human Services or any of its officials, employees, institutions or hospitals at any proceeding, including depositions, held before any court, administrative body or representative thereof, shall be reimbursed to the employee incurring such expenses. Such expenses claimed shall be approved by the General Counsel and the Director of Human Services prior to reimbursement.
- b. The Department, at the discretion of the Director, may charter aircraft when determined by the Director such charter would be more practical or less expensive than normal modes of transportation and when aircraft of the Department of Public Safety are unavailable. The costs of such charter shall be exempt from the provisions of Section 500.6 of this title.

14. Grand River Dam Authority:

Officers and employees who have been required to attend hearings or meetings of any congressional committee or subcommittee or any federal agency, board or commission shall be reimbursed for their actual and necessary travel and lodging expenses; however, the agency head must approve any claims in connection with such expenses.

15. Attorney General:

The actual and necessary expenses of travel, lodging and subsistence incurred by the Attorney General or Assistant Attorneys General in the performance of their duties for the purpose of representing the state or any of its agencies, officials or employees, at any proceedings, including depositions, held before any court or administrative body or representative thereof, or which

is required to represent the interests of the state or its agencies necessary for the closing of any debt transaction, shall be reimbursed to the Attorney General or the assistants incurring such expenses. Such expenses claimed shall be approved by the Attorney General or the First Assistant prior to reimbursement.

C. The agencies listed in subsection B of this section shall be required to report annually the actual expenses excepted or exempted from Sections 500.1 through 500.18 of this title to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The report shall be submitted no later than the first day of September following the end of each fiscal year.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 10th day of March, 1992.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_, 1992.

Speaker of the House of Representatives