

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2602

By: Roach

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 1991, Sections 500.1, 500.18, as last amended by Section 3, Chapter 354, O.S.L. 1997, 500.2, as last amended by Section 1, Chapter 354, O.S.L. 1997, 500.10, 500.12, 500.9A, as amended by Section 4, Chapter 219, O.S.L. 1992, 500.3, 500.4, as last amended by Section 18, Chapter 384, O.S.L. 1997, 500.8, as last amended by Section 3, Chapter 335, O.S.L. 1995, 500.9, as last amended by Section 2, Chapter 354, O.S.L. 1997, 500.15, 500.16, 500.13, 500.17, as amended by Section 5, Chapter 219, O.S.L. 1992, 500.14, 840.14a, as renumbered by Section 53, Chapter 242, O.S.L. 1994, and 500.20 (74 O.S. Supp. 1997, Sections 500.18, 500.2, 500.9A, 500.4, 500.8, 500.9, 500.17 and 500.16A), which relate to the State Travel Reimbursement Act; modifying coverage of short title; defining terms; making State Travel Reimbursement Act mandatory to all state employees and officials; providing exceptions; providing clarifications; limiting certain reimbursement; authorizing certain agencies to enter into certain contracts for food, lodging and meeting facilities; updating language; adding certain agencies to such authorization; deleting

certain agencies from such specified authorization; adding to the chief administrative officers authorized to charge certain meals and lodging for certain personnel under certain conditions; prohibiting the submission of certain claims under certain circumstances; authorizing certain contracts and agreement by agencies for payment of classroom space, food and lodging expenses for employees for specified purposes; deleting certain references for specified agencies for such authorization; adding to and clarifying such authorization for specified agencies; prohibiting designees of administrative heads from approving out-of-state travel; requiring approval of administrative heads for certain miscellaneous travel expenses and local transportation costs; limiting the incurrence of certain travel expenses under certain contracts and grants; requiring certain biannual reports on amounts paid under such contracts and grants; specifying content of such reports; correcting cites; requiring the use of a certain uniform credit card system; prohibiting expenses in noncompliance be nonreimbursable; declaring certain frequent flyer credits be the property of the state; authorizing certain redeeming of such credits for certain purposes; requiring the promulgation of certain rules; authorizing certain state employees to use alternate forms of transportation; providing exception for reimbursement in lieu of certain plane fares; limiting reimbursement for privately owned motor vehicles and certain rental vehicles;

providing criteria for measuring distances for certain reimbursement; requiring pilots to file certain reports; requiring expenses of travel to be charged to certain agencies; requiring vicinity travel to be entered on travel claim as a separate item; defining term; limiting reimbursement of certain meal expenses; modifying computation for reimbursement for such expenses; limiting certain reimbursement for certain overnight lodging; limiting certain per diem allowance; updating and clarifying language; requiring the submission of certain biannual travel expenditure reports to certain persons; requiring certain review of such reports; deleting definition of "proper claim"; amending 74 O.S. 1991, Sections 291.1, as amended by Section 16, Chapter 384, O.S.L. 1997, 291.1a, Section 6, Chapter 335, O.S.L. 1995, 456, as last amended by Section 17, Chapter 384, O.S.L. 1997, and 456.3 (74 O.S. Supp. 1997, Sections 291.1, 291.1b and 456), which relate to legislative reimbursement; modifying certain mileage reimbursement; amending 74 O.S. 1991, Sections 500.51, 500.52, 500.53, 500.54 and 500.55, as amended by Section 1, Chapter 219, O.S.L. 1992 (74 O.S. Supp. 1997, Section 500.55), which relate to moving expenses; clarifying and updating certain language; correcting name of certain department; amending 74 O.S. 1991, Section 79, as amended by Section 1, Chapter 204, O.S.L. 1993 (74 O.S. Supp. 1997, Section 79), which relates to the State Travel Division within the Purchasing Division of the Department of Central Services; requiring

certain report; specifying content of certain claims or invoices; requiring claim forms be filed; requiring certain affidavit; providing for certain legislative committees and subcommittees to meet when out of session; providing for travel reimbursement for such sessions; amending 74 O.S. 1991, Section 85.40, which relates to certain vendors or service providers; requiring certain travel expenses to be included in the total amount of the grant award; prohibiting certain payments; prohibiting travel reimbursements for out-of-state travel for certain lame-duck candidates under certain conditions; providing exception; repealing 74 O.S. 1991, Sections 500.5 and 500.6, which relate to certain motor vehicles and airplanes; providing for codification; providing for recodification; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 500.1, is amended to read as follows:

Section 500.1 ~~This act~~ A. Chapter 17 of this title shall be known and may be cited as the "State Travel Reimbursement Act".

B. All statutes hereinafter enacted and codified in Chapter 17 of this title shall be considered and decreed part of the State Travel Reimbursement Act.

Part 1. Travel Expenses

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 500.1A of Title 74, unless there is created a duplication in numbering, reads as follows:

A. For purposes of the State Travel Reimbursement Act:

1. "Administrative head" means a director, an executive director, a president, a commissioner, or an administrator of any agency who is the chief executive officer employed by the agency in charge of the management, administration, and control of the agency;

2. "Agency" means any constitutionally or statutorily created state board, commission, trust with the state as the beneficiary, department, bureau, authority, council, committee, the board of regents of any university, college, or other institution within The Oklahoma State System of Higher Education, or other entity created by the executive, legislative, or judicial branch of this state except:

- a. the Legislature,
- b. the Governor, and
- c. the judiciary;

3. "Employee" means any person who is in the employ of any agency, the Legislature, the Office of the Governor or the judiciary whose salary is paid either completely or in part from public funds;

4. "Mode of travel" means travel by commercial or private motor vehicle, airplane, train, or other private or public conveyance;

5. "Proper claim" means a claim for reimbursement of incurred expenses supported by all requisite documentation and complete in all respects for processing for payment;

6. "State entity" means agencies, the Legislature, the Office of the Governor and the judiciary;

7. "State officials" means members of the Legislature, the Governor, the Lieutenant Governor and members of the judiciary;

8. "Travel expenses" means any actual and necessary expenses authorized by the State Travel Reimbursement Act and approved by the administrative head of an agency. The term "travel expenses" shall include but not be limited to mileage, meals, lodging, toll road fees, parking fees, and public and private conveyance fares; and

9. "Travel status" means the absence from the home area or official station area while performing assigned official duties. Employees whose duties are normally mobile and statewide or multicounty in nature shall not be deemed to have an official station.

B. Any provision of the Oklahoma Statutes that provides for the payment or reimbursement for the travel expenses, costs, or fees of state officers and employees or other persons authorized by law to receive reimbursement for travel expenses, or is inconsistent with the provisions of the State Travel Reimbursement Act shall be deemed to provide for reimbursement in accordance with the provisions of the State Travel Reimbursement Act unless a contrary intent is explicitly expressed by law.

SECTION 3. AMENDATORY 74 O.S. 1991, Section 500.18, as last amended by Section 3, Chapter 354, O.S.L. 1997 (74 O.S. Supp. 1997, 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, as otherwise provided by this section or by law, the provisions of Sections 500.1 through 500.18 of this title~~ the State Travel Reimbursement Act shall be mandatory as to all state officials and employees of ~~all departments, boards, commissions and institutions of the~~ this 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. 1. Except as otherwise provided by subsection C of this section, the provisions of the State Travel Reimbursement Act shall not apply to:

- a. any municipality of this state,
- b. any county of this state, or
- c. any rural fire protection district.

2. Except as specifically authorized by law, the travel expenses of any political subdivision or other state entity not subject to the jurisdiction of the State Travel Reimbursement Act shall not exceed the travel reimbursement rates established by the provisions of this chapter.

C. The provisions of the State Travel Reimbursement Act shall apply to counties, municipalities and rural fire protection districts if:

- 1. Any contract with the state or agency thereof specifies compliance with the State Travel Reimbursement Act;
- 2. Any program or function of such municipality, county or rural fire protection district is required to comply with the State Travel Reimbursement Act by law; or
- 3. Such county, municipality or district chooses to avail itself of the State Travel Reimbursement Act in whole or in part.

D. Except as otherwise provided by the State Travel Reimbursement Act:

- 1. The Governor shall comply with Section 19 of this act;
- 2. The Lieutenant Governor shall comply with Section 19 of this act; and
- 3. The Legislature shall comply with Sections 20 through 23 of this act.

E. The agencies listed below in this subsection are authorized certain exceptions and/or exemptions to the provisions of ~~Sections~~

~~500.1 through 500.18 of this title~~ the State Travel Reimbursement Act 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.~~

~~Authorization is also provided the Director of the Oklahoma Tourism and Recreation Department to reimburse the Publisher of Oklahoma Today magazine and its staff for expenses for meals and other entertainment in order to gain advertising and promotion for Oklahoma Today magazine. Reimbursement of all actual and necessary expenses shall be in accordance with rules and regulations adopted by the Commission on Tourism and Recreation.~~

~~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. Department of Central Services:~~

~~The actual expenses of travel and subsistence incurred by the Director, Assistant Director and any employee approved by the Director of the Department of Central Services 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.~~ 2. 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

promulgated 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. Oklahoma Health Care Authority:~~

~~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 Authority or any of its officials or employees, 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 Administrator prior to reimbursement.~~

~~15.~~ 3. Oklahoma State Bureau of Narcotics and Dangerous Drugs Control:

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~~ promulgated by the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control. Prior to reimbursement, expenses claimed shall be reviewed by the Director and individually approved or disapproved.

~~16. University Hospitals:~~

~~The actual and necessary expenses of travel, lodging and subsistence incurred by employees of the Legal Office in the performance of their duties for the purpose of representing the University Hospitals 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 Chief Executive Officer of the University Hospitals or by the University Hospitals Authority.~~

~~17. Oklahoma Historical Society:~~

~~The actual and necessary expenses of travel, subsistence and entertainment incurred by the Executive Director, Deputy Director and any employees designated by the Executive Committee of the Oklahoma Historical Society Board of Directors in pursuing and developing programs and projects for the preservation and marketing of Oklahoma history shall be reimbursed to the person incurring the expenses. Reimbursement of expenses shall be in accordance with rules adopted by the Oklahoma Historical Society Board of Directors. Prior to reimbursement, expenses claimed shall be reviewed by the~~

~~Executive Committee at a regularly scheduled meeting and each claim shall be individually approved or disapproved.~~

~~18. The Oklahoma Department of Mines:~~

~~The actual and necessary expenses of travel, lodging and subsistence incurred by employees of the Department in the performance of their duties for the purpose of representing the Department or any of its officials or employees, at any proceeding, hearing or meeting with federal agencies, boards, commissions, congressional representatives, congressional committees or staff, shall be reimbursed to the employee incurring such expenses. Such expenses claimed shall be approved by the executive Director prior to reimbursement.~~

~~19. 4. The Office of Attorney General:~~

~~The actual and necessary expenses of travel, lodging and subsistence incurred by its employees in the performance of their duties for the purpose of representing the state, the Legislature, any state board, agency or commission, or any employee or official of the state entitled to representation, at any proceeding, including depositions, held before any court, administrative body or any representative thereof, shall be reimbursed to the employee incurring the expenses. The expenses shall be approved by the Attorney General prior to reimbursement.~~

~~20. District Attorneys Council:~~

~~The actual and necessary expenses incurred by each district attorney and other employees of the district attorney authorized by the district attorney as a result of conducting investigations shall be reimbursed to each employee incurring the expenses. Reimbursement of the expenses shall be in accordance with rules adopted by the District Attorneys Council. Prior to reimbursement, expenses claimed shall be reviewed by the Council and individually approved or disapproved.~~

~~21. The Department of Securities:~~

~~The actual and necessary expenses of travel, lodging and subsistence incurred by the Administrator and other employees of the Department of Securities in the performance of their duties for the purpose of representing the Department of Securities, at any proceeding, including depositions, held before any court, administrative body or any representative thereof, conducting on-site examinations, or conducting investigations, shall be reimbursed to each employee incurring the expenses. The expenses shall be approved by the Administrator of the Department of Securities prior to reimbursement.~~

~~C.~~ F. The agencies listed in subsection ~~B~~ E 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~~ the State Travel Reimbursement Act to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives as required by Section 16 of this act. The report shall be submitted no later than the first day of September following the end of each fiscal year.

G. The Director of the Department of Central Services may exempt any single activity or position from compliance with any provision of the State Travel Reimbursement Act if the Director determines that such compliance is not economically feasible or if the health and safety of an individual warrants the noncompliance. Any exemption shall be for a period not in excess of one (1) year. The administrative head of the agency governing the activity or position exempted pursuant to this subsection shall submit a listing of the actual expenses reimbursed in the report required by subsection C of this section.

SECTION 4. AMENDATORY 74 O.S. 1991, Section 500.2, as last amended by Section 1, Chapter 354, O.S.L. 1997 (74 O.S. Supp. 1997, Section 500.2), is amended to read as follows:

Section 500.2 A. ~~Officials~~ 1. State officials and employees of the state, traveling on authorized state business, may be reimbursed for expenses incurred in such travel in accordance with the provisions of ~~this act~~ the State Travel Reimbursement Act and existing statutes relating to state travel.

2. Persons who are not state employees, but who are performing substantial and necessary services to the state which have been directed or approved by the appropriate department official shall enjoy the protection of the sovereign immunity of the state to the same extent as a paid employee. Such persons may be reimbursed for expenses incurred during authorized official travel under these same statutory provisions, provided it is indicated on the claim the person is not a state employee, a description of services performed is entered, and the agency head by his approval of the claim certifies such services were substantial and necessary, and germane to the duties and functions of the reimbursing agency.

3. Travel expenses incurred by a person during the course of seeking employment with a state agency, unless such travel is performed at the request of the employing agency, shall not be considered expenses incurred in performing substantial and necessary services to the state and shall not be reimbursed under the provisions of ~~this act~~ the State Travel Reimbursement Act.

B. 1. The chief administrative officer of the Department of Public Safety, the Oklahoma State Bureau of Investigation, the Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Military Department, the Department of Corrections, the Department of Central Services, the Alcoholic Beverage Laws Enforcement Commission, the State Department of Agriculture, the Department of Civil Emergency Management, and the State Fire Marshal may arrange for and charge meals and lodging for a contingent of state personnel moved into an area for the purpose of preserving the public health, safety, or welfare or for the protection of life or property. The

cost for meals or lodging so charged shall not exceed the amount authorized in ~~this act~~ the State Travel Reimbursement Act.

2. The chief administrative officer of each agency involved in such an operation shall require the vendor furnishing meals, lodging, or both meals and lodging to submit an itemized statement for payment.

3. When a claim for lodging is made for a contingent of state personnel, individual members of the contingent ~~may~~ shall not submit a claim for lodging. When a claim for meals is made for a contingent of state personnel, individual members of the contingent ~~may~~ shall not submit a claim for meals.

C. The Oklahoma Department of Commerce and the Oklahoma Center for the Advancement of Science and Technology are hereby authorized to enter into contracts and agreements for the payment of food, lodging, meeting facility and beverage expenses as may be necessary for sponsoring seminars and receptions relating to economic development and science and technology issues. Such expenses may be paid directly to the contracting agency or business establishment. The Director of the Oklahoma Department of Commerce and the President of the Oklahoma Center for the Advancement of Science and Technology shall each provide a quarterly report of such expenditures to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

D. ~~For purposes of this section:~~

~~1. "State agency" means any constitutionally or statutorily created state board, commission, or department, including the Legislature and the Courts; and~~

~~2. State agencies~~ State entities are authorized to enter into contracts and agreements for the payment of food and lodging expenses and for meeting facilities as may be necessary for employees or other persons who are performing substantial and necessary services to the state attending official conferences,

meetings, seminars, workshops, or training sessions or in the performance of their duties. Such expenses may be paid directly to the contracting agency or business establishment, ~~provided the meeting qualifies for overnight travel for the employees and the.~~ The cost for food and lodging for each employee shall not exceed the total daily rate as provided in the State Travel Reimbursement Act, ~~Section 500.1 et seq. of this title.~~

E. ~~State agencies are authorized to make direct purchases~~ Purchases of commercial airline tickets for use by employees in approved out-of-state travel. ~~Each claim or invoice submitted to the Director of State Finance for the payment of such purchase shall bear the airline identifying ticket number, the name of the airline, total cost of each ticket purchased, class of accommodation, social security number and name of the employee for whom the ticket was purchased, and shall be filed on claim forms as prescribed by the Director of State Finance. An affidavit shall state that said employee did use any direct purchase commercial airline ticket received for his or her approved out-of-state travel and persons otherwise specified by subsection A of this section shall comply with Section 79 of this title.~~

SECTION 5. AMENDATORY 74 O.S. 1991, Section 500.10, is amended to read as follows:

Section 500.10 ~~No agency head nor his designee~~ An administrative head of an agency of this state shall not approve out-of-state travel for any agency employee except for agency personnel performing policy making, professional, technical, supervisory or administrative duties.

SECTION 6. AMENDATORY 74 O.S. 1991, Section 500.12, is amended to read as follows:

Section 500.12 Reimbursement for miscellaneous travel expenses and local transportation costs incurred during out-of-state travel may be made on the basis of an itemization of such costs if approved

by the administrative head of an agency and as authorized pursuant to the State Travel Reimbursement Act.

SECTION 7. AMENDATORY 74 O.S. 1991, Section 500.9A, as amended by Section 4, Chapter 219, O.S.L. 1992 (74 O.S. Supp. 1997, Section 500.9A), is amended to read as follows:

Section 500.9A ~~Per diem payments~~ A. Except as otherwise specifically provided by law, travel and other actual and necessary expenses may be paid if same is provided for in any incurred under a contract or grant if such travel expenses are included in the total amount of a contract or grant awarded pursuant to Section 85.40 of this title and are otherwise authorized by the State Travel Reimbursement Act.

B. The agency paying for travel expenses under a contract or grant shall submit a biannual report on July 1 and January 1 of each year detailing the name of each contractor or grantee, the total amount paid to the contractor or grantee in each category, and the reason the contractor or grantee was required to travel at state expense. The biannual report shall be sent pursuant to Section 16 of this act.

SECTION 8. AMENDATORY 74 O.S. 1991, Section 500.3, is amended to read as follows:

Section 500.3 A. Authority to approve travel on official state business and approval of claims or vouchers for reimbursement of travel expenses shall be in conformity with ~~62 O.S. 1971,~~ Section 41.26, or as may be provided in future legislation of Title 62 of the Oklahoma Statutes. Approval of a travel claim or voucher, as provided in ~~that section~~ Section 41.26 of Title 62 of the Oklahoma Statutes, shall constitute authority for the travel set forth in such claim or voucher.

B. Claims or vouchers for reimbursement for expenses incurred in official travel shall not cover periods in excess of thirty-one (31) days.

However, claims may be filed for subsequent periods of not to exceed thirty-one (31) days.

C. By January 1, 1999, any employee traveling in furtherance of such person's official duties shall use the uniform credit card system established by the State Travel Division within the Purchasing Division of the Department of Central Services, pursuant to Section 79 of this title, for purchase of tickets for authorized modes of travel. The purchase of tickets for authorized modes of travel not made in compliance with the uniform credit card system so established shall not be reimbursable.

SECTION 9. AMENDATORY 74 O.S. 1991, Section 500.4, as last amended by Section 18, Chapter 384, O.S.L. 1997 (74 O.S. Supp. 1997, 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~~ be reimbursed for traveling expenses for authorized modes of travel pursuant to the provisions of this section.

B. Reimbursement for fares paid for airplane transportation within this state shall not exceed coach class fare. Reimbursement for emergency travel by commercial airplane on a first-class basis may be made if coach class space is not available within a reasonable time and if such travel is authorized by the Department of Central Services. Claims for reimbursement for transportation by commercial airline shall be accompanied by the passenger's duplicate of the airline ticket, or other airline receipt which includes information as to class of accommodation for which reimbursement is claimed.

~~Other public conveyance~~ C. Public transportation fares other than airplane transportation, including but not limited to railroads, buses, whether intracity or intercity, and taxicabs, shall not exceed the normal charge fare charged for such public

transportation, but in no instance ~~may~~ shall the ~~fare~~ total of such fares exceed coach class airplane fare for the same destination.

Taxicab fares within the State of Oklahoma ~~and communication charges~~ may be reimbursed only upon justification as to the necessity for their use and as authorized by the State Travel Reimbursement Act.

~~B. Agency~~ D. 1. Administrative heads ~~or their authorized designees~~ may approve the use of motor vehicles for official travel within the State of Oklahoma.

2. 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~~ official in-state travel.

3. Reimbursement for use of privately owned motor vehicles for in-state travel may be authorized by the ~~agency~~ administrative head.

~~C.~~ Reimbursement for authorized use of privately owned motor vehicles shall be made using the amount prescribed by the Internal Revenue Code of 1986, as amended, or rules, procedures or other action by the Internal Revenue Service, for use in determining the standard mileage rate allowed for a business expense deduction. 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.

4. Reimbursement for automobiles leased or rented within this state for in-state travel from car rental agencies or private parties, to be used in lieu of a privately owned vehicle on official business for the state, shall not exceed the rate provided for the use of a privately owned automobile.

5. a. Reimbursement for in-state travel on any privately owned or chartered airplane shall be in an amount which, when added to per diem and reimbursement for

lodging for that trip, does not exceed the equivalent of automobile mileage plus per diem and reimbursement for lodging had a privately owned automobile been used for the trip pursuant to this section.

b. Upon completion of each trip, the pilot of any airplane owned by this state shall enter into a record book the names of all passengers on the airplane, date, destination, mileage, purpose, and expense of the trip. The pilot shall sign each entry in the record book. The book may be inspected by the State Auditor and Inspector.

c. Expenses of the trip are to be charged to the agencies of the state officers or employees using the airplane. For the purposes of this paragraph, the term "expenses of the trip" shall include, but is not limited to, the cost of operating the airplane, the mileage of the trip, and the salary of the pilot.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 500.4A of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Authorized persons traveling out of state for official state business may be reimbursed for traveling expenses outside of this state for public and private transportation pursuant to the provisions of this section.

B. Reimbursement for fares paid for airplane transportation shall not exceed coach class fare. Reimbursement for emergency travel by commercial airplane on a first-class basis may be made if coach class space is not available within a reasonable time and is authorized by the Department of Central Services. Claims for reimbursement for transportation by commercial airline shall be accompanied by the passenger's duplicate of the airline ticket, or

other airline receipt which includes information as to class of accommodation for which reimbursement is claimed.

C. Public transportation fares other than airplane travel including, but not limited to, railroads, buses, whether intracity or intercity, and taxicabs shall not exceed the normal fare charged for such public transportation but in no instance shall the total of such fares exceed the cost of coach class airplane fare to the same destination. Taxicab fares within the State of Oklahoma and charges may be reimbursed only upon justification as to the necessity for their use.

D. 1. Agency heads or their authorized designees may approve the use of motor vehicles for official out-of-state travel.

2. 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 official out-of-state travel.

3. Reimbursement for use of privately owned motor vehicles may be authorized by the agency head. Reimbursement for authorized use of privately owned motor vehicles shall be made using the amount prescribed by the Internal Revenue Code of 1986, as amended, or rules, procedures or other action by the Internal Revenue Service, for use in determining the standard mileage rate allowed for a business expense deduction. 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.

4. The actual cost of leasing or renting an automobile outside of this state to be used on official business for the state shall be reimbursed subject to the approval of the agency head or authorized designee.

5. a. Reimbursement for out-of-state travel on any privately owned or chartered airplane may be reimbursed in an amount which, when added to per diem and reimbursement for lodging for that trip, does not exceed the equivalent of coach class fare on commercial airplanes plus per diem and reimbursement for lodging.
- b. Upon completion of each trip, the pilot of any airplane owned by this state shall enter into a record book the names of all passengers on the airplane, date, destination, mileage, purpose, and expense of the trip. The pilot shall sign each entry in the record book. Said book may be inspected by the State Auditor and Inspector.
- c. Expenses of the trip are to be charged to the agencies of the officers or employees using the airplane. For the purposes of this section, the term "expenses of the trip" shall include, but is not limited to, the cost of operating the airplane, the mileage of the trip, and the salary of the pilot.

SECTION 11. AMENDATORY 74 O.S. 1991, Section 500.8, as last amended by Section 3, Chapter 335, O.S.L. 1995 (74 O.S. Supp. 1997, Section 500.8), is amended to read as follows:

Section 500.8 A. A reimbursement for meal expenses, per day, while in official travel status, of not to exceed Twenty-five Dollars (\$25.00) within the State of Oklahoma ~~and~~ is authorized.

B. A reimbursement for meal expenses, per day, while in official travel status of not to exceed Twenty-six Dollars (\$26.00) outside the state is authorized.

C. In computing reimbursement for meals, a day shall be a period of twenty-four (24) hours.

1. 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 Six Dollars and twenty-five cents (\$6.25) in state; and

2. 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 Six Dollars and fifty cents (\$6.50) out of state. Provided, however, that no

D. No reimbursement for meals shall be made for periods which do not include overnight status.

E. If meals 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.

SECTION 12. AMENDATORY 74 O.S. 1991, Section 500.9, as last amended by Section 2, Chapter 354, O.S.L. 1997 (74 O.S. Supp. 1997, 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~~ shall not ~~to~~ exceed Forty Dollars (\$40.00) or the actual cost, if lower, per night except as provided in subsections C, D and F of this section and Section ~~500.9A~~ 7 of this ~~title~~ act. Receipts issued by the hotel, motel or other public lodging place shall accompany claims for reimbursement.

B. 1. A per diem allowance in lieu of subsistence may be authorized by a travel claim issued in accordance with Section ~~500.3~~ 8 of this ~~title~~ act, which shall include all charges for meals and lodging.

~~Not to~~ 2. The per diem allowance in lieu of subsistence shall not exceed:

a. Thirty-five Dollars (\$35.00) per diem ~~may be authorized on the travel claim~~ for the performance of travel within the State of Oklahoma, ~~and not to exceed~~

b. Thirty-six Dollars (\$36.00) per diem ~~may be authorized~~ for the performance of travel outside the State of Oklahoma.

3. 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 Eight Dollars and twenty-five cents (\$8.25) in state and Nine Dollars (\$9.00) out of state. ~~Provided, however, that no~~ 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~~ the State Travel Reimbursement Act.

C. 1. 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 the officials or employees are in official travel status approved by the agency head or designee.

~~Provided further, those state~~ 2. 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, ~~these~~ state officers or employees so choosing this option shall be reimbursed for local transportation costs incurred traveling between such optional lodging and the designated hotel, motel or other public lodging place not to exceed the difference between the cost of the designated lodging and the cost of the optional lodging.

3. Receipts issued by the hotel, motel or other public lodging place shall accompany claims for reimbursement.

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 Sixty-five (\$65.00) Dollars per night, except as provided in Section ~~500.9A~~ 7 of this ~~title~~ act. 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~~ shall approve any claims in connection with such expenses.

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.

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". Provided, however, travel to points outside of the United States, whether performed under authority of contract, grant, agreement or otherwise, shall not begin more than forty-eight (48) hours before or end more than forty-eight (48) hours after the objective of the trip.

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 13. AMENDATORY 74 O.S. 1991, Section 500.15, is amended to read as follows:

Section 500.15 All claims for reimbursement ~~of~~ for travel expenses shall be submitted on the regular authorized form of travel expense claim, and shall be signed by the official or employee performing the travel, and approved by the official or employee designated in ~~62 O.S. 1971,~~ Section 41.26 of Title 62 of the Oklahoma Statutes, for the agency in which the employee works.

SECTION 14. AMENDATORY 74 O.S. 1991, Section 500.16, is amended to read as follows:

Section 500.16 Standard blank forms of travel claims, to be used to carry out the purposes of ~~this act~~ the State Travel Reimbursement Act, shall be prescribed by the Director of State Finance.

SECTION 15. AMENDATORY 74 O.S. 1991, Section 500.13, is amended to read as follows:

Section 500.13 ~~No reimbursement~~ Reimbursement for registration fees for attendance at meetings, workshops or conferences shall not be made, except upon written receipt for such expenditures as provided by the State Travel Reimbursement Act.

SECTION 16. AMENDATORY 74 O.S. 1991, Section 500.17, as amended by Section 5, Chapter 219, O.S.L. 1992 (74 O.S. Supp. 1997, Section 500.17), is amended to read as follows:

Section 500.17 A. All ~~state departments, boards, commissions and institutions~~ agencies of this state 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 the per diem he approves as determined necessary.~~

B. All agencies of this state shall submit biannual travel expenditure reports to the Speaker of the House of Representatives and to the chair of the House Appropriations and Budget Committee or successor of the committee and to the President Pro Tempore of the Senate and to the chair of the Senate Appropriations Committee or successor committee. The chair of each committee shall provide for a committee review of the reports submitted.

C. All agencies of this state shall submit copies of the biannual report to the Department of Central Services.

SECTION 17. AMENDATORY 74 O.S. 1991, Section 500.14, is amended to read as follows:

Section 500.14 The Director of State Finance shall reject any travel claim or voucher not in conformity with the provisions of ~~this act or existing statutes relating to reimbursement for travel expenses~~ the State Travel Reimbursement Act.

SECTION 18. AMENDATORY 74 O.S. 1991, Section 840.14a, as renumbered by Section 53, Chapter 242, O.S.L. 1994 (74 O.S. Supp. 1997, Section 500.16A), is amended to read as follows:

Section 500.16A A. The Director of State Finance shall establish a procedure to expedite payment for a proper claim of a state employee for expenses recompensable pursuant to the provisions of the State Travel Reimbursement Act.

B. The procedure provided for in subsection A of this section shall:

1. Require payment within forty-five (45) days from the date on which a proper claim is submitted by the employee to the appropriate office of the agency for which the expenses were incurred; and

2. Provide for the payment of interest from the thirtieth day after receipt by the appropriate office of a proper claim for which payment has not been mailed, transmitted or delivered to the employee by the close of business on the forty-fifth day. Interest shall be at an annualized rate as reported by the State Treasurer to the Director of State Finance based on an average of the interest rate for thirty-day time deposits of state funds during the last calendar quarter of the last preceding fiscal year.

~~C. For purposes of this section, "proper claim" means a claim for reimbursement of incurred expenses supported by all requisite documentation and complete in all respects for processing for payment.~~

~~D.~~ Any employee, after the passage of the forty-five day limit provided for in subsection B of this section, who is aggrieved by the delay in payment of a proper claim with interest or who failed to receive interest as provided for in this section may file a

grievance with the Office of the Governor. The grievance shall be transmitted from the Office of the Governor to the Director of State Finance who, within fifteen (15) days after receipt of the grievance, shall:

1. Pay the claim with interest as provided for in this section;
- or
2. Report to the Governor and the aggrieved employee why such payment cannot be made.

SECTION 19. AMENDATORY 74 O.S. 1991, Section 500.20, is amended to read as follows:

Section 500.20 A. The Governor of the State of Oklahoma is ~~hereby~~ authorized reimbursement for all actual and necessary travel expenses incurred when on official business of the state. ~~Such actual~~

B. Actual and necessary expenses shall include the subsistence and transportation expenses of the Governor's spouse when accompanying the Governor on official business of the state, or when attending an official function at the request of the Governor.

C. The provisions of this section shall also apply to the Lieutenant Governor and the Lieutenant Governor's spouse.

SECTION 20. AMENDATORY 74 O.S. 1991, Section 456, as last amended by Section 17, Chapter 384, O.S.L. 1997 (74 O.S. Supp. 1997, Section 456), is amended to read as follows:

Section 456. ~~A. Committees and subcommittees of each house of the Legislature are hereby authorized to meet when the Legislature is not in session, subject to the approval of the presiding officer of the respective house.~~

~~B. When the Legislature is not in session, members of the Legislature shall be reimbursed their expenses in attending meetings of committees and subcommittees of which they are members or to which they are invited by committee chairs and shall be reimbursed as provided in subsection C of this section for expenses for such~~

~~meetings and such other legislative business as may be authorized by the rules or by resolution of the member's respective house.~~

~~C.~~ In addition to reimbursement for mileage as authorized by law the State Travel Reimbursement Act, per diem in lieu of expenses in the amount of Twenty-five Dollars (\$25.00) is hereby authorized for not to exceed twenty (20) days when the Legislature is not in session. The President Pro Tempore of the Senate and the Speaker of the House of Representatives may authorize per diem for meetings exceeding twenty (20) days for members of their respective houses as they deem necessary.

~~D.~~ B. A per diem in lieu of expenses in the amount deductible without additional documentation pursuant to the Internal Revenue Code of 1986, as amended, is hereby authorized for meetings outside the state by members, officers and employees of the Legislature. A per diem in lieu of expenses in the amount deductible without additional documentation pursuant to the Internal Revenue Code of 1986, as amended, for the destination within the geographical area of travel is hereby authorized for official travel to high-rate geographical areas, as designated in Section ~~500.9~~ 12 of this ~~title~~ act, by members, officers and employees of the Legislature. Provided, however, that members and employees of the Legislature may, in lieu of the above provisions, be reimbursed for out-of-state travel pursuant to the State Travel Reimbursement Act.

~~E.~~ C. In addition to reimbursement allowed under subsection D of this section, reimbursement for out-of-state transportation costs shall be made at an amount not exceeding the cost of coach airplane fare. Provided that reimbursement for travel by commercial airplane on a first-class basis may be made if coach-class space is not available within a reasonable time and is justified by attachments to claim for reimbursement. Claims for reimbursement for first-class transportation by commercial airline shall be accompanied by the passenger's duplicate of airline ticket, or other airline

receipt which includes information as to class of accommodation for which reimbursement is claimed.

~~F.~~ D. Members, officers and employees of the Legislature shall be reimbursed for any membership dues or fees paid to any association or organization connected with the performance of their duties with the state, upon the approval of the Speaker of the House of Representatives or the President Pro Tempore of the Senate.

SECTION 21. AMENDATORY 74 O.S. 1991, Section 291.1, as amended by Section 16, Chapter 384, O.S.L. 1997 (74 O.S. Supp. 1997, Section 291.1), is amended to read as follows:

Section 291.1 Members of the Legislature shall be allowed a per diem in lieu of expenses in an amount authorized by the provisions of the federal Internal Revenue Code of 1986, as amended, for deductibility of expenses for travel while away from home without additional documentation for each night spent away from home in the performance of their official duties within the state during regular and extraordinary legislative sessions, not to exceed the number of legislative days per week.

SECTION 22. AMENDATORY 74 O.S. 1991, Section 291.1a, is amended to read as follows:

Section 291.1a Members of the Legislature who are authorized by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, to attend official meetings and sessions concerning legislation during a legislative recess shall be entitled to receive reimbursement for mileage and per diem in the same manner as provided for in ~~Sections 291 and 291.1 of Title 74 of the Oklahoma Statutes~~ the State Travel Reimbursement Act.

SECTION 23. AMENDATORY Section 6, Chapter 335, O.S.L. 1995 (74 O.S. Supp. 1997, Section 291.1b), is amended to read as follows:

Section 291.1b A. Members of the Legislature shall receive mileage reimbursement pursuant to ~~Section 500.4 of Title 74 of the~~

~~Oklahoma Statutes~~ Sections 9 and 10 of this act 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.

B. Each member 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 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.

C. Members of the Legislature shall receive mileage reimbursement, ~~for the use of privately owned vehicles pursuant to Section 500.4 of Title 74 of the Oklahoma Statutes~~ Sections 9 and 10 of this act 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 24. AMENDATORY 74 O.S. 1991, Section 456.3, is amended to read as follows:

Section 456.3 A. Members of the Legislature who are officers of each house of the Legislature shall receive the same per diem and mileage reimbursement when the Legislature is not in session as that provided by law for members of the Legislature for travel to and from the State Capitol in the performance of their duties.

B. Claims for reimbursement under this section shall be approved by the presiding officer of the appropriate house.

Part 2. Moving Expenses

SECTION 25. AMENDATORY 74 O.S. 1991, Section 500.51, is amended to read as follows:

Section 500.51 It is the purpose of this ~~act~~ part to provide partial payment by the State of Oklahoma to a certified carrier for the cost of moving any employee permanently transferred at the request of a state agency.

SECTION 26. AMENDATORY 74 O.S. 1991, Section 500.52, is amended to read as follows:

Section 500.52 ~~In this act, unless the context requires a different definition~~ For purposes of this part:

1. "Carrier" means any common carrier registered and approved by the Oklahoma Corporation Commission;

2. "Employee" means any state officer or employee with the exception of elected officials;

3. "Permanent transfer" means a transfer in excess of twenty-one (21) weeks; and

4. "Household goods" means personal effects excluding automobiles, boats, trailers, other than a manufactured home which is the principal residence of the employee, animals or any other possession not normally considered as household goods.

SECTION 27. AMENDATORY 74 O.S. 1991, Section 500.53, is amended to read as follows:

Section 500.53 A. Any employee who is permanently transferred at the request of any state agency to a location in excess of twenty-five (25) miles from the location of ~~his~~ the employee's previous place of employment shall be entitled to payment by the State of Oklahoma to the carrier for the following services provided by the carrier:

1. (a) The actual line-haul cost of moving ten thousand (10,000) pounds of the employee's household goods,

said cost to include the packing, loading and unloading of the goods, respectively, or

- (b) Movement of one manufactured home and its contents, regardless of the number of pieces into which it disassembles for transport, provided:

(1) it is the principal residence of the employee; ~~provided further, and~~

(2) that said movement shall not exceed the equivalent cost of moving ten thousand (10,000) pounds of household goods the equivalent distance;

2. Special servicing of appliances at the origin and destination of the move; and

3. The insuring of the employee's household goods and/or manufactured home, in the amount of One Dollar (\$1.00) per pound, not to exceed Ten Thousand Dollars (\$10,000.00).

B. Any additional moving expenses incurred as a result of said transfer shall be assumed by the employee.

SECTION 28. AMENDATORY 74 O.S. 1991, Section 500.54, is amended to read as follows:

Section 500.54 Any agency transferring an employee who comes under the provisions of Sections 500.51 through 500.55 of this title shall forward to the ~~Office of Public Affairs~~ Department of Central Services a requisition requesting that the household goods and manufactured home of the employee be moved at state expense. Upon receipt of said requisition the ~~Office of Public Affairs~~ Department of Central Services shall obtain bids from carriers registered and approved by the Corporation Commission. The most responsible carrier submitting the lowest bid shall be awarded the moving contract.

SECTION 29. AMENDATORY 74 O.S. 1991, Section 500.55, as amended by Section 1, Chapter 219, O.S.L. 1992 (74 O.S. Supp. 1997, Section 500.55), is amended to read as follows:

Section 500.55 A. No state agency shall move the household goods or manufactured home of any employee except in compliance with the provisions of ~~this act~~ the State Travel Reimbursement Act.

B. Any person authorizing a violation of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be ~~penalized~~ punished by a fine not to exceed One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not to exceed ninety (90) days or by both such fine and imprisonment ~~and any.~~ The employment of such person in any position or capacity by the State of Oklahoma shall be terminated immediately upon such conviction whether or not any fine or confinement is imposed by the court.

SECTION 30. AMENDATORY 74 O.S. 1991, Section 79, as amended by Section 1, Chapter 204, O.S.L. 1993 (74 O.S. Supp. 1997, Section 79), is amended to read as follows:

Section 79. A. There is hereby created the State Travel Division within the Purchasing Division of the Department of Central Services.

B. ~~On and after the effective date of this act, all~~ 1. The Division shall establish a uniform credit card system to expediently and accurately determine, process, account for, review and audit purchases for food, lodging, transportation, vehicles and other authorized travel expenses.

2. The uniform credit card system shall be used by all state employees for authorized travel expenses when traveling in furtherance of such persons' official duties when required by the administrative head of the agency or when required by the Director of the Department of Central Services, but shall be required for purchasing tickets for any authorized mode of transportation.

3. The uniform credit card system shall be implemented no later than January 1, 1999, upon the awarding of a contract to a vendor or vendors selected by competitive bid, authorized to do business in the State of Oklahoma. The system shall provide that no liability shall inure to the state for fraud, fraudulent practices or lost or stolen cards.

C. All agencies and departments of this state shall make arrangements for all air travel on scheduled commercial airlines for state employees required to travel in the course of their official duties and for all other persons traveling at state expense through the State Travel Division, except when any such agency or department determines that:

1. The air travel services can be secured at a cost less than that which can be secured by the State Travel Division; or

2. The air travel originates from a location outside the state and it would be impractical to arrange for the air travel through the State Travel Division; or

3. The air travel is necessitated by an emergency and time does not permit utilization of the State Travel Division's services; or

4. The air travel is part of a package arrangement made by the organization scheduling the meeting or conference.

~~C.~~ D. The Oklahoma Legislature hereby declares that frequent flyer credits earned by state employees while on official state business are the property of this state. The credits may be redeemed only for future official travel or as directed by the State Travel Division. The Division shall promulgate rules providing for the assignment, notification, collecting, redeeming, distributing and otherwise providing for the use of frequent flyer credits so earned.

E. All claims made for reimbursement shall contain a statement showing the reason for the exemption. A report containing

destination, savings, and total cost shall be submitted as required by Section 16 of this act.

D. F. 1. Each claim or invoice submitted to the Director of State Finance for the payment of purchase of commercial airline tickets shall bear the airline identifying ticket number, the name of the airline, total cost of each ticket purchased, class of accommodation, social security number and name of the employee for whom the ticket was purchased, and shall be filed on claim forms as prescribed by the Director of State Finance.

2. An affidavit shall state whether the employee used direct purchase commercial airline ticket received for the employee's approved out-of-state travel.

G. The State Travel Division shall divide the state into high travel areas and low travel areas. A high travel area shall consist of no more than one county. Oklahoma, Tulsa, Payne and Cleveland Counties and any other county that accounts for a substantial portion of air travel at state expense shall be designated as high travel areas. The remaining counties of the state shall be designated as low travel areas. Low travel areas may consist of more than one county, as determined by the State Travel Division. The State Travel Division shall contract with no less than six private travel agencies in a high travel area and one or more private travel agencies in a low travel area to provide the scheduling and related travel services required to comply with this section. In order to take advantage of local competitive situations, institutions of higher education in high travel areas are authorized to solicit competitive bids for air travel services by travel agencies. If the bids result in greater savings than the state contract, then these institutions may issue individual contracts to not less than two travel agencies. Further, institutions of higher education in high travel areas are also authorized to solicit competitive bids for applicable city pair

destination rates to airline companies. If the bids result in a greater savings than the state contract rates, these institutions may issue individual contracts to the airline companies with the lowest bids.

~~E.~~ H. The State Travel Division shall promulgate rules ~~and regulations~~ and contract specifications to which the contract travel agencies shall be subject. The rules, ~~regulations~~ and specifications shall be drawn with the intent of obtaining the lowest available fares for scheduled commercial air travel.

~~F.~~ I. At the end of each month the contract travel agencies shall furnish a statement, in a form approved by the State Travel Division, showing certain details of all travel arrangements handled to each state agency or department for which the contract travel agencies have furnished their services and shall also furnish copies of said statements to the State Travel Division.

SECTION 31. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 456A of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Committees and subcommittees of each house of the Legislature are hereby authorized to meet when the Legislature is not in session, subject to the approval of the presiding officer of the respective house.

B. When the Legislature is not in session, members of the Legislature shall be reimbursed their expenses in attending meetings of committees and subcommittees of which they are members or to which they are invited by committee chairs and shall be reimbursed as provided in the State Travel Reimbursement Act for legislative members for expenses for the meetings and other legislative business as may be authorized by the rules or by resolution of the member's respective house.

SECTION 32. AMENDATORY 74 O.S. 1991, Section 85.40, is amended to read as follows:

Section 85.40 A. 1. The travel expenses to be incurred by a vendor or service provider pursuant to a contract with a state agency for the purchase of products or services, whether or not such agency or purchase is exempt from the Oklahoma Central Purchasing Act, shall be included in the total amount of the contract award. An agency shall not pay any travel expenses not specified in the total amount of the contract awarded.

2. The provisions of this section shall also apply to any acquisition or contract for an amount of Two Thousand Five Hundred Dollars (\$2,500.00) or less. If the total contract amount including travel expenses exceed Two Thousand Five Hundred Dollars (\$2,500.00), the contract shall be processed by competitive bid unless specifically exempted pursuant to Section 85.7 or 85.12 of ~~Title 74 of the Oklahoma Statutes~~ this title.

B. The travel expenses to be incurred by a grantee pursuant to a grant awarded by an agency for services, shall be included in the total amount of the grant award. An agency shall not pay any travel expenses not specified in the total amount of the grant awarded.

SECTION 33. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 500.37 of Title 74, unless there is created a duplication in numbering, reads as follows:

Notwithstanding any other provision of law to the contrary, the Director of State Finance shall reject any claim for reimbursement for out-of-state travel submitted by an elected official, including any member of the Legislature but excluding the Governor if after the last day to do so the official has not filed a declaration of candidacy for reelection to the office held by such person at the time the claim is submitted or if the person has been defeated for reelection to the office held by such person at the time the claim is submitted whether in a primary election or any general election.

SECTION 34. RECODIFICATION 74 O.S. 1991, Section 500.18, as last amended by Section 3 of this act, shall be recodified as

Section 500.1B of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 35. RECODIFICATION 74 O.S. 1991, Sections 456, as last amended by Section 20 of this act, 291.1, as last amended by Section 21 of this act, 291.1a, as amended by Section 22 of this act and Section 6, Chapter 335, O.S.L. 1995 (74 O.S. Supp. 1997, Section 291.1b), as amended by Section 23 of this act, shall be recodified as Sections 500.21A, 500.21B, 500.21C and 500.21D of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 36. REPEALER 74 O.S. 1991, Sections 500.5 and 500.6, are hereby repealed.

SECTION 37. This act shall become effective November 1, 1998.

46-2-9019 KSM