

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1146

By: Lerblance

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5  
6 AS INTRODUCED

7 An Act relating to travel expenses for legislators;  
8 amending 74 O.S. 2011, Sections 291.1, 291.1a, 291.1b  
9 and 456, which relate to per diem and mileage;  
10 stating that certain provisions not applicable under  
11 certain conditions due to budgetary constraints; and  
12 declaring an emergency.

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

14 SECTION 1. AMENDATORY 74 O.S. 2011, Section 291.1, is  
15 amended to read as follows:

16 Section 291.1 Members of the Legislature shall be allowed a per  
17 diem in lieu of expenses in an amount authorized by the provisions  
18 of the Internal Revenue Code of 1986, as amended, for deductibility  
19 of expenses for travel while away from home without additional  
20 documentation for each night spent away from home in the performance  
21 of their official duties within the state during regular and  
22 extraordinary legislative sessions, not to exceed the number of  
23 legislative days per week. The provisions of this section shall not  
24 apply during any fiscal year in which any state employees are

1 furloughed or subject to a reduction-in-force due to budgetary  
2 constraints.

3 SECTION 2. AMENDATORY 74 O.S. 2011, Section 291.1a, is  
4 amended to read as follows:

5 Section 291.1a Members of the Legislature who are authorized by  
6 the Speaker of the House of Representatives and the President Pro  
7 Tempore of the Senate, to attend official meetings and sessions  
8 concerning legislation during a legislative recess shall be entitled  
9 to receive reimbursement for mileage and per diem in the same manner  
10 as provided for in ~~Sections 291 and~~ Section 291.1 of Title 74 of the  
11 ~~Oklahoma Statutes~~ this title. The provisions of this section shall  
12 not apply during any fiscal year in which any state employees are  
13 furloughed or subject to a reduction-in-force due to budgetary  
14 constraints.

15 SECTION 3. AMENDATORY 74 O.S. 2011, Section 291.1b, is  
16 amended to read as follows:

17 Section 291.1b Members of the Legislature shall receive mileage  
18 reimbursement pursuant to Section 500.4 of ~~Title 74 of the Oklahoma~~  
19 ~~Statutes~~ this title for the number of miles necessarily and  
20 conveniently traveled by the most usual and feasible route to be  
21 present upon convening of the regular or extraordinary sessions of  
22 the Legislature by such member in each and every trip in going to  
23 and returning from the place of meeting of the Legislature. Each  
24 member shall be entitled to mileage reimbursement for one (1) round

1 trip per week in traveling to and from the meeting of the  
2 Legislature. A member not claiming per diem reimbursement may elect  
3 to receive mileage for not to exceed as many trips as there are  
4 legislative days for a week during each week the Legislature is  
5 actually in regular or extraordinary session, provided that no  
6 single, round-trip mileage reimbursement may exceed the per diem  
7 allowance. Members of the Legislature shall receive mileage  
8 reimbursement, for the use of privately owned vehicles pursuant to  
9 Section 500.4 of ~~Title 74 of the Oklahoma Statutes~~ this title for  
10 the number of miles necessarily and conveniently traveled by the  
11 most usual and feasible route to be present in attending meetings of  
12 committees of which they are members or to which they are invited by  
13 ~~Committee Chairmen~~ committee chairs when the Legislature is not in  
14 session, subject to the approval of the presiding officer of each  
15 house for the members of the respective houses. The provisions of  
16 this section shall not apply during any fiscal year in which any  
17 state employees are furloughed or subject to a reduction-in-force  
18 due to budgetary constraints.

19 SECTION 4. AMENDATORY 74 O.S. 2011, Section 456, is  
20 amended to read as follows:

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

1 B. When the Legislature is not in session, members of the  
2 Legislature shall be reimbursed their expenses in attending meetings  
3 of committees and subcommittees of which they are members or to  
4 which they are invited by committee chairs and shall be reimbursed  
5 as provided in subsection C of this section for expenses for such  
6 meetings and such other legislative business as may be authorized by  
7 the rules or by resolution of the member's respective house.

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

16 D. A per diem in lieu of expenses in the amount deductible  
17 without additional documentation pursuant to the Internal Revenue  
18 Code of 1986, as amended, is hereby authorized for meetings outside  
19 the state by members, officers and employees of the Legislature. A  
20 per diem in lieu of expenses in the amount deductible without  
21 additional documentation pursuant to the Internal Revenue Code of  
22 1986, as amended, for the destination within the geographical area  
23 of travel is hereby authorized for official travel to high-rate  
24 geographical areas, as designated in Section 500.9 of this title, by

1 members, officers and employees of the Legislature. Provided,  
2 however, that members and employees of the Legislature may, in lieu  
3 of the above provisions, be reimbursed for out-of-state travel  
4 pursuant to the State Travel Reimbursement Act.

5 E. In addition to reimbursement allowed under subsection D of  
6 this section, reimbursement for out-of-state transportation costs  
7 shall be made at an amount not exceeding the cost of coach airplane  
8 fare. Provided that reimbursement for travel by commercial airplane  
9 on a first-class basis may be made if coach-class space is not  
10 available within a reasonable time and is justified by attachments  
11 to claim for reimbursement. Claims for reimbursement for first-  
12 class transportation by commercial airline shall be accompanied by  
13 the passenger's duplicate of airline ticket, or other airline  
14 receipt which includes information as to class of accommodation for  
15 which reimbursement is claimed.

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

21 G. The provisions of this section, other than the provisions of  
22 subsection A of this section, shall not apply during any fiscal year  
23 in which any state employees are furloughed or subject to a  
24 reduction-in-force due to budgetary constraints.

1       SECTION 5. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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