

**First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 11-0956.01 Ed DeCecco

**SENATE BILL 11-220**

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**SENATE SPONSORSHIP**

**Hodge**, Steadman, Lambert

**HOUSE SPONSORSHIP**

**(None)**,

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**Senate Committees**  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING A REDUCTION IN THE MILEAGE ALLOWANCE FOR THE USE**  
102             **OF A PERSONAL MOTOR VEHICLE FOR OFFICIAL STATE BUSINESS,**  
103             **AND MAKING AN APPROPRIATION THEREFOR.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

Currently, state officers and employees are given a mileage allowance as reimbursement for each mile traveled using their personal motor vehicle while on official state business. The mileage allowance is equal to 90% of the prevailing internal revenue service mileage

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
Amended 2nd Reading  
April 8, 2011

reimbursement rate (IRS reimbursement rate) or 95% of the IRS reimbursement rate for a four-wheel-drive vehicle. For the next 2 fiscal years, the bill reduces both of these mileage allowances to the lesser of 75% of the IRS reimbursement rate or the state's average total ownership cost per mile.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** 24-9-104 (2) (d), Colorado Revised Statutes, is  
3 amended to read:

4           **24-9-104. Mileage allowances.** (2) (d) (I) EXCEPT AS SET FORTH  
5 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (d), on and after January 1,  
6 2008, state officers and employees shall be allowed a mileage allowance  
7 for each mile actually and necessarily traveled while on official state  
8 business calculated at ninety percent of the prevailing internal revenue  
9 service mileage reimbursement rate to the nearest cent, and, when  
10 authorized to be utilized and necessary for official state business,  
11 ninety-five percent of the prevailing internal revenue service mileage  
12 reimbursement rate to the nearest cent for four-wheel-drive vehicles and  
13 forty cents per nautical mile for privately owned aircraft.

14           (II) ON AND AFTER JULY 1, 2011, BUT PRIOR TO JULY 1, 2013, A  
15 STATE OFFICER OR EMPLOYEE SHALL BE ALLOWED A MILEAGE ALLOWANCE  
16 FOR EACH MILE ACTUALLY AND NECESSARILY TRAVELED IN THE OFFICER'S  
17 OR EMPLOYEE'S MOTOR VEHICLE, INCLUDING A FOUR-WHEEL-DRIVE  
18 VEHICLE, WHILE ON OFFICIAL STATE BUSINESS. SUCH MILEAGE  
19 ALLOWANCE SHALL BE EQUAL TO SEVENTY-FIVE PERCENT OF THE  
20 PREVAILING INTERNAL REVENUE SERVICE MILEAGE REIMBURSEMENT RATE  
21 TO THE NEAREST CENT; EXCEPT THAT THE MILEAGE ALLOWANCE SHALL  
22 NOT EXCEED THE STATE'S AVERAGE TOTAL OWNERSHIP COST PER MILE  
23 THAT IS SET AS OF JULY 1 OF THE STATE FISCAL YEAR FOR WHICH THE

1 MILEAGE ALLOWANCE IS TO BE PAID. THIS SUBPARAGRAPH (II) SHALL NOT  
2 APPLY:

3 (A) TO THE MILEAGE ALLOWANCE FOR THE USE OF A PRIVATELY  
4 OWNED AIRCRAFT; OR

5 (B) TO WATER COMMISSIONERS APPOINTED PURSUANT TO SECTION  
6 37-92-202 (3), C.R.S., IF THE STATE ENGINEER DETERMINES THAT THE  
7 COMMISSIONERS CAN BE REIMBURSED AT THE MILEAGE ALLOWANCE SET  
8 FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) WITHIN EXISTING  
9 APPROPRIATIONS.

10 **SECTION 2. Appropriation - adjustments in Senate Bill**  
11 **11-198.** For the implementation of this act, the general fund  
12 appropriation made in Senate Bill 11-198 for the fiscal year beginning  
13 July 1, 2011, to the legislative department, is decreased by twenty-seven  
14 thousand four hundred ninety-nine dollars (\$27,499).

15 **SECTION 3. Appropriation - adjustments in 2011 long bill.**  
16 For the implementation of this act, appropriations made in the annual  
17 general appropriation act, to the departments listed in the table below, for  
18 the fiscal year beginning July 1, 2011, shall be decreased by the amounts  
19 shown for a total reduction of eight hundred twenty-nine thousand six  
20 hundred sixty-nine dollars (\$829,669). Said reductions shall be made and  
21 derived from such sources as follows:

	<u>General</u>	<u>Cash</u>	<u>Reappropriated</u>	<u>Federal</u>	<u>Total</u>	
<u>DEPARTMENT</u>	<u>Fund</u>	<u>Funds</u>	<u>Funds</u>	<u>Funds</u>		
1						
2	<u>Agriculture</u>	<u>(1,680)</u>	<u>(25,219)</u>	<u>0</u>	<u>(1,005)</u>	<u>(27,904)</u>
3	<u>Corrections</u>	<u>(12,016)</u>	<u>(65)</u>	<u>0</u>	<u>(5)</u>	<u>(12,086)</u>
4	<u>Education</u>	<u>(7,897)</u>	<u>(5,411)</u>	<u>(17,878)</u>	<u>(33,479)</u>	<u>(64,665)</u>
5	<u>Governor</u>	<u>(504)</u>	<u>(1,217)</u>	<u>(555)</u>	<u>(19,740)</u>	<u>(22,016)</u>
6	<u>Health Care Policy and Financing</u>	<u>(1,185)</u>	<u>(356)</u>	<u>0</u>	<u>(1,607)</u>	<u>(3,148)</u>
7	<u>Higher Education</u>	<u>0</u>	<u>(277)</u>	<u>(906)</u>	<u>(6,019)</u>	<u>(7,202)</u>
8	<u>Human Services</u>	<u>(49,292)</u>	<u>(1,135)</u>	<u>(6,153)</u>	<u>(30,691)</u>	<u>(87,271)</u>
9	<u>Judicial</u>	<u>(293,849)</u>	<u>(74,003)</u>	<u>0</u>	<u>0</u>	<u>(367,852)</u>
10	<u>Labor and Employment</u>	<u>0</u>	<u>(14,430)</u>	<u>(153)</u>	<u>(25,656)</u>	<u>(40,239)</u>
11	<u>Law</u>	<u>(26)</u>	<u>(98)</u>	<u>(198)</u>	<u>(2)</u>	<u>(324)</u>
12	<u>Local Affairs</u>	<u>(1,860)</u>	<u>(93)</u>	<u>(643)</u>	<u>(1,718)</u>	<u>(4,314)</u>
13	<u>Military Affairs</u>	<u>(653)</u>	<u>0</u>	<u>0</u>	<u>(2,066)</u>	<u>(2,719)</u>
14	<u>Natural Resources</u>	<u>(25,538)</u>	<u>(40,078)</u>	<u>(1,635)</u>	<u>(2,697)</u>	<u>(69,948)</u>
15	<u>Personnel and Administration</u>	<u>(1,072)</u>	<u>(29)</u>	<u>(2,680)</u>	<u>0</u>	<u>(3,781)</u>
16	<u>Public Health and Environment</u>	<u>(5,020)</u>	<u>(8,896)</u>	<u>(4,686)</u>	<u>(20,587)</u>	<u>(39,189)</u>
17	<u>Public Safety</u>	<u>(3,308)</u>	<u>(7,731)</u>	<u>(231)</u>	<u>(2,543)</u>	<u>(13,813)</u>

	<u>DEPARTMENT</u>	<u>General</u>	<u>Cash</u>	<u>Reappropriated</u>	<u>Federal</u>	<u>Total</u>
		<u>Fund</u>	<u>Funds</u>	<u>Funds</u>	<u>Funds</u>	
1	<u>Regulatory Agencies</u>	<u>(188)</u>	<u>(33,701)</u>	<u>(95)</u>	<u>(76)</u>	<u>(34,060)</u>
2	<u>Revenue</u>	<u>(9,947)</u>	<u>(8,984)</u>	<u>0</u>	<u>0</u>	<u>(18,931)</u>
3	<u>State</u>	<u>0</u>	<u>(1,885)</u>	<u>0</u>	<u>0</u>	<u>(1,885)</u>
4	<u>Transportation</u>	<u>0</u>	<u>0</u>	<u>(7,697)</u>	<u>0</u>	<u>(7,697)</u>
5	<u>Treasury</u>	<u>(625)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(625)</u>
6						
7	<u>Total</u>	<u>(414,660)</u>	<u>(223,608)</u>	<u>(43,510)</u>	<u>(147,891)</u>	<u>(829,669)</u>

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1           **SECTION 4. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, and safety.