

HOUSE BILL NO. 208

INTRODUCED BY R. MARSHALL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING STATE EMPLOYEE TRAVEL RULES; NARROWING THE SCOPE OF ALLOWABLE STATE EMPLOYEE TRAVEL; CHANGING POLICY TO REQUIRE DOCUMENTATION FOR ALL TYPES OF TRAVEL REIMBURSEMENT; RESTRICTING THE USE OF STATE PROCUREMENT CARDS RELATED TO STATE EMPLOYEE TRAVEL; REQUIRING APPROVAL BY AN AGENCY DIRECTOR; AMENDING SECTION 2-18-501, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-18-501, MCA, is amended to read:

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

(1) All travel expenses must be authorized by the director of the employee's agency.

(4)(2) Except as provided under subsection (3), (4), for travel within the state of Montana, lodging must be authorized at the actual cost of lodging and taxes on the allowable cost of lodging, except as provided in subsection (3), (4), plus \$7.50 for the morning meal, \$8.50 for the midday meal, and \$14.50 for the evening meal except as provided in subsection (10), (11). All claims for lodging expense reimbursement allowed under this section must be documented by an appropriate receipt.

(2)(3) Except as provided in subsection (3), (4), for travel outside the state of Montana and within the United States, the following provisions apply:

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

(b) Meal reimbursement may not exceed the prescribed maximum standard federal rate per meal.

(c) A state agency may not pay an employee's travel costs to attend a function that does not

1 benefit the state.

2 (d) All reimbursable expenses must be supported by a receipt regardless of the amount.

3 (e) State procurement cards are to be used only for air travel, lodging, and rental cars.

4 (f) If a state of Montana employee is performing work for another state or organization and travels
5 to perform work for that state or organization, the other state or organization must reimburse the state agency
6 for all travel, lodging, and, if necessary, the employee's regular work time wages.

7 (g) A state employee traveling on state business who is accompanied by a traveler not on state
8 business shall be responsible for the accompanying traveler's expenses. State funding may not be utilized for
9 the accompanying traveler's expenses.

10 (h) A state employee may not join or utilize frequent traveler programs or promotions while on
11 state business.

12 (i) A state employee traveling on state business may not voluntarily bump from any commercial air
13 flight.

14 (j) A state employee who is involuntarily bumped from a commercial air flight while on state
15 business and receives a free ticket or other benefit from the airline shall report it to their agency immediately. All
16 free tickets and cash vouchers are property of the state.

17 (k) A state employee traveling on state business may not upgrade to business or first class on an
18 airline. A state employee traveling via airline shall travel in coach.

19 (l) A state employee who purchases their transportation tickets, lodging, and meals on a personal
20 card shall be reimbursed only at the state rate, and receipts for all expenses are required.

21 ~~(3)~~(4) Except as provided in subsection ~~(10)~~ (11), the department of administration shall designate
22 the locations and circumstances under which the governor, other elected state officials, appointed members of
23 boards, commissions, or councils, department directors, and all other state employees may be authorized the
24 actual cost of the following:

25 (a) meals, not including alcoholic beverages, when the actual cost exceeds the maximum
26 established in subsection ~~(4)(a)~~ (5)(a); and

27 (b) lodging when the actual cost exceeds the maximum established in subsection ~~(2)(a)~~ (3)(a) or
28 ~~(4)(a)~~ (5)(a).

1 ~~(4)(5)~~ Except as provided in subsection ~~(3)~~, ~~(4)~~, for travel to a foreign country, the following provisions
2 apply:

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

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

6 (ii) \$155 per night for lodging.

7 (b) All claims for meal and lodging reimbursement allowed under this subsection ~~(4)~~~~(5)~~ must be
8 documented by an appropriate receipt.

9 ~~(5)(6)~~ When other than commercial, nonreceiptable lodging facilities are used by a state official or
10 employee while conducting official state business in a travel status, the amount of \$12 is authorized for lodging
11 expenses for each day in which travel involves an overnight stay in lieu of the amount authorized in subsection
12 ~~(1)~~~~(2)~~ or ~~(2)(a)~~ ~~(3)(a)~~. However, when overnight accommodations are provided at the expense of a government
13 entity, reimbursement may not be claimed for lodging.

14 ~~(6)(7)~~ The actual cost of reasonable transportation expenses and other necessary business
15 expenses incurred by a state official or employee while in an official travel status is subject to reimbursement.
16 All reimbursable expenses must be supported by a receipt regardless of the amount.

17 ~~(7)(8)~~ The provisions of this section may not be construed as affecting the validity of 5-2-301.

18 ~~(8)(9)~~ The department of administration shall establish policies necessary to effectively administer
19 this section for state government.

20 ~~(9)(10)~~ All commercial air travel must be by the least expensive class service available.

21 ~~(10)(11)~~ When the actual cost of meals exceeds the maximum standard allowed pursuant to
22 subsection (1), the department of administration may authorize the actual cost of meals for firefighters.

23 ~~(11)(12)~~ For the purposes of implementing subsection ~~(10)~~ ~~(11)~~, the following definitions apply:

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

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