Senate Engrossed

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SENATE BILL 1461

AN ACT

AMENDING SECTIONS 38-624 AND 41-1104, ARIZONA REVISED STATUTES; RELATING TO LEGISLATIVE PER DIEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 38-624, Arizona Revised Statutes, is amended to read:

38-624. Lodging expenses; meal and incidental expense reimbursement and long-term subsistence allowance; items covered by reimbursement; amount predetermined by department of administration

A. A state employee while traveling on authorized state business shall be reimbursed for actual lodging expenses incurred not to exceed a predetermined amount pursuant to subsection C OF THIS SECTION. All claims for reimbursement shall be accompanied by lodging expense receipts.

B. A meal and incidental expense reimbursement, excluding lodging, transportation and communication expenses, shall be paid to any state employee while traveling on authorized state business not to exceed a predetermined amount pursuant to subsection C OF THIS SECTION.

C. The director of the department of administration shall establish maximum amounts for reimbursement for lodging and meal and incidental expenses or long-term subsistence incurred pursuant to subsections A and B OF THIS SECTION, based on federal guidelines for these types of expenses or other reasonable rates as determined by the department. The director may change the maximum amounts from time to time and may establish a separate maximum amount for geographical areas of the United States if the director finds that the reasonable cost varies significantly in one or more areas. Maximum amounts established by the director shall be subject to approval by the joint legislative budget committee.

D. The director of the department of administration shall establish in the state accounting manual uniform procedures by which amounts less than the maximum lodging and meal and incidental expense reimbursement amounts may be claimed by a person who is in travel status for less than a full ~~twenty-four hour~~ TWENTY-FOUR-HOUR period or by a person who does not provide lodging receipts. The director of the department of administration shall also establish policies and procedures for ~~the~~ claiming ~~of~~ lodging and meal and incidental expense reimbursements and long-term subsistence allowances by persons temporarily required, for a period of not less than thirty days, to reside away from their primary place of residence. If housing or meals are provided, the reimbursements may be less than, and cannot exceed, the lodging and meal and incidental expense reimbursements ~~provided for~~ pursuant to subsection C OF THIS SECTION. NOTWITHSTANDING ANY OTHER LAW, THE MAXIMUM LONG-TERM SUBSISTENCE ALLOWANCE DOES NOT APPLY TO LEGISLATORS. A LONG-TERM SUBSISTENCE ALLOWANCE FOR LEGISLATORS SHALL BE ESTABLISHED PURSUANT TO SECTION 41-1104.

Sec. 2. Section 41-1104, Arizona Revised Statutes, is amended to read:

41-1104. Travel reimbursement and subsistence for members of legislature; claim required

A. Notwithstanding section 38-624, each member of the legislature shall be reimbursed for travel at the federal mileage reimbursement rate as determined annually by the United States general services administration, and such reimbursement shall include travel from the temporary or permanent residence of the member to the state capitol.

B. Each member of the legislature shall be paid ~~the sum of thirty-five dollars~~ FOR each day ~~for~~ OF subsistence during a regular or special session and ~~the sum of thirty-five dollars~~ FOR each day ~~for~~ OF subsistence when ~~a~~ THE member acts on a legislative matter, other than in a regular or special session, on the prior approval of the presiding officer of the house of which that member is a member~~. Each member whose permanent residence is outside of Maricopa county shall receive an additional twenty-five dollars for each day as subsistence in a regular or special session.~~ IN AN AMOUNT AS FOLLOWS:

1. FOR A MEMBER WHOSE PERMANENT RESIDENCE IS WITHIN MARICOPA COUNTY, $35. Each member WHOSE PERMANENT RESIDENCE IS WITHIN MARICOPA COUNTY AND who acts on a legislative matter, within this state in a county other than ~~that member's residence~~ MARICOPA COUNTY, with the prior approval of the presiding officer of the house of which that member is a member, shall be paid an additional ~~twenty-five dollars~~ $25 for each day as subsistence.

2. FOR A MEMBER WHOSE PERMANENT RESIDENCE IS OUTSIDE MARICOPA COUNTY, ONE HUNDRED PERCENT OF THE ANNUAL AVERAGE FEDERAL PER DIEM RATE FOR MARICOPA COUNTY AS DETERMINED BY THE UNITED STATES GENERAL SERVICES ADMINISTRATION. THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION SHALL DETERMINE THIS AMOUNT ANNUALLY.

~~C. Subsistence allowed to each member of the legislature during the regular session as provided in subsection B of this section shall be limited to the first one hundred twenty days of a regular session. After the first one hundred twenty days of a regular session, each member of the legislature shall be paid the sum of ten dollars for subsistence for each day of the regular session beyond the first one hundred twenty days. Each member whose permanent residence is outside of Maricopa county shall receive an additional ten dollars for each day beyond the first one hundred twenty days of a regular session as subsistence.~~

C. EACH MEMBER OF THE LEGISLATURE MAY ELECT TO OPT OUT OF RECEIVING SUBSISTENCE PAYMENTS PRESCRIBED BY SUBSECTION B OF THIS SECTION.

D. Each member of the legislature, for authorized travel out of state, shall receive travel and subsistence expenses as prescribed by law for state officers.

E. For payment of travel expenses and subsistence, as prescribed by the terms of this section, each member of the legislature shall submit a claim ~~therefor~~ FOR TRAVEL EXPENSES AND SUBSISTENCE THAT IS countersigned by the presiding officer of the respective body.

Sec. 3. Effective date

This act is effective from and after January 10, 2021.