

Senate Engrossed House Bill

~~superior court clerk; salary~~  
~~(now: salary; superior court clerk)~~  
(now: per diem; federal rate; legislators)

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
First Regular Session  
2021

**CHAPTER 447**  
**HOUSE BILL 2053**

AN ACT

AMENDING SECTIONS 38-624 AND 41-1104, ARIZONA REVISED STATUTES; RELATING  
TO REIMBURSEMENT AND SUBSISTENCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

4 38-624. Lodging expenses; meal and incidental expense  
5 reimbursement and long-term subsistence allowance;  
6 items covered by reimbursement; amount  
7 predetermined by department of administration

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

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

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

26 D. The director of the department of administration shall establish  
27 in the state accounting manual uniform procedures by which amounts less  
28 than the maximum lodging and meal and incidental expense reimbursement  
29 amounts may be claimed by a person who is in travel status for less than a  
30 full ~~twenty-four hour~~ TWENTY-FOUR-HOUR period or by a person who does not  
31 provide lodging receipts. The director of the department of  
32 administration shall also establish policies and procedures for ~~the~~  
33 claiming ~~of~~ lodging and meal and incidental expense reimbursements and  
34 long-term subsistence allowances by persons temporarily required, for a  
35 period of not less than thirty days, to reside away from their primary  
36 place of residence. If housing or meals are provided, the reimbursements  
37 may be less than, and cannot exceed, the lodging and meal and incidental  
38 expense reimbursements ~~provided for~~ pursuant to subsection C OF THIS  
39 SECTION. NOTWITHSTANDING ANY OTHER LAW, THE MAXIMUM LONG-TERM SUBSISTENCE  
40 ALLOWANCE DOES NOT APPLY TO LEGISLATORS. A LONG-TERM SUBSISTENCE  
41 ALLOWANCE FOR LEGISLATORS SHALL BE ESTABLISHED PURSUANT TO SECTION  
42 41-1104.

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

3           41-1104. Travel reimbursement and subsistence for members of  
4                                   legislature; claim required

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

10          B. Each member of the legislature shall be paid ~~the sum of~~  
11 ~~thirty-five dollars~~ FOR each day ~~for~~ OF subsistence during a regular or  
12 special session and ~~the sum of thirty-five dollars~~ FOR each day ~~for~~ OF  
13 subsistence when ~~a~~ THE member acts on a legislative matter, other than in  
14 a regular or special session, on the prior approval of the presiding  
15 officer of the house of which that member is a member. ~~Each member whose~~  
16 ~~permanent residence is outside of Maricopa county shall receive an~~  
17 ~~additional twenty-five dollars for each day as subsistence in a regular or~~  
18 ~~special session. Each member who acts on a legislative matter, within this~~  
19 ~~state in a county other than that member's residence, with the prior~~  
20 ~~approval of the presiding officer of the house of which that member is a~~  
21 ~~member, shall be paid an additional twenty-five dollars for each day as~~  
22 ~~subsistence.~~ IN AN AMOUNT AS FOLLOWS:

23           1. FOR A MEMBER WHOSE PERMANENT RESIDENCE IS WITHIN MARICOPA  
24 COUNTY, \$35.

25           2. FOR A MEMBER WHOSE PERMANENT RESIDENCE IS OUTSIDE MARICOPA  
26 COUNTY, ONE HUNDRED PERCENT OF THE AVERAGE OF THE SIX HIGHEST MONTHS OF  
27 THE ANNUAL FEDERAL PER DIEM RATE FOR MARICOPA COUNTY, INCLUDING LODGING,  
28 AS DETERMINED BY THE UNITED STATES GENERAL SERVICES ADMINISTRATION. THE  
29 DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION SHALL DETERMINE THIS AMOUNT  
30 ANNUALLY.

31          C. Subsistence allowed to each member of the legislature during the  
32 regular session as provided in subsection B of this section shall be  
33 limited to the first one hundred twenty days of a regular session. After  
34 the first one hundred twenty days of a regular session, each member of the  
35 legislature WHOSE PERMANENT RESIDENCE IS WITHIN MARICOPA COUNTY shall be  
36 paid the sum of ~~ten dollars~~ \$10 for subsistence for each day of the  
37 regular session beyond the first one hundred twenty days. Each member  
38 whose permanent residence is outside of Maricopa county shall receive ~~an~~  
39 ~~additional ten dollars~~ FIFTY PERCENT OF THE AMOUNT DETERMINED ANNUALLY BY  
40 THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION PURSUANT TO SUBSECTION B  
41 OF THIS SECTION for each day beyond the first one hundred twenty days of a  
42 regular session as subsistence.

43          D. EACH MEMBER OF THE LEGISLATURE MAY ELECT TO OPT OUT OF RECEIVING  
44 SUBSISTENCE PAYMENTS PRESCRIBED BY SUBSECTIONS B AND C OF THIS SECTION.

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

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

PRESENTED TO THE GOVERNOR ON JUNE 30, 2021. IN ACCORDANCE WITH ARIZONA  
CONSTITUTION ARTICLE 5, SECTION 7, ANY BILL NOT RETURNED WITHIN FIVE DAYS  
AFTER PRESENTED TO THE GOVERNOR (SUNDAY EXCEPTED) SUCH BILL SHALL BECOME A  
LAW IN LIKE MANNER IF HE [SIC] HAD SIGNED IT.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 10, 2021.