

1 HB93
2 194310-1
3 By Representative Shedd
4 RFD: Ways and Means General Fund
5 First Read: 05-MAR-19

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8 SYNOPSIS: Existing law provides a person traveling
9 inside the State of Alabama on official business
10 for the state or any of its departments,
11 institutions, boards, bureaus, commissions,
12 councils, committees, or other like agencies, is
13 entitled to receive per diem in the amount of \$75
14 per day.

15 This bill would authorize the reimbursement
16 of any taxes paid while traveling inside the State
17 of Alabama on official business, upon presentation
18 of the appropriate documentation.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT

23
24 To amend Section 36-7-20, Code of Alabama 1975,
25 relating to allowances for expenses other than transportation
26 of persons traveling within the state on official business; to

1 authorize the reimbursement of any taxes paid while on
2 official business under certain conditions.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 36-7-20, Code of Alabama 1975, is
5 amended to read as follows:

6 "§36-7-20.

7 "(a) (1) Except as otherwise provided in Section
8 36-7-21, the amount allowable to a person traveling inside the
9 State of Alabama in the service of the state or any of its
10 departments, institutions, boards, bureaus, commissions,
11 councils, committees, or other like agencies for expenses
12 other than transportation may be fixed by the Governor at not
13 less than seventy-five dollars (\$75) per day, and this amount
14 shall be uniform in operation as to all persons traveling
15 within the state on official business.

16 "(2) In addition to the allowance provided in
17 subdivision (1), a person traveling within the state on
18 official business may also receive reimbursement of any taxes
19 he or she paid while traveling in the service of the state if
20 he or she submits the appropriate documentation.

21 "(3) The state Comptroller, with the approval of the
22 Chief Examiner of Public Accounts, may adopt rules to provide
23 for the appropriate documentation and procedures necessary for
24 reimbursement under subdivision (2).

25 "(b) No travel allowance shall be paid for a trip of
26 less than six hours' duration. For travel which does not
27 require an overnight stay, the traveler shall be paid a meal

1 allowance of 15 percent of the regular per diem rate for a
2 trip of from six to 12 hours' duration, and for travel in
3 excess of 12 hours' duration, the traveler shall be paid one
4 meal allowance and one-fourth of the per diem allowance.

5 "(c) The per diem allowance shall not be paid to an
6 employee stationed at the same place in the state for a period
7 in excess of two consecutive months. After two consecutive
8 months the amount of the allowance shall be reduced to 75
9 percent of the regular per diem rate per day. Notwithstanding
10 the foregoing, this section shall not apply to officers and
11 employees of the State of Alabama when they incur expenses
12 representing the State of Alabama in the encouragement and
13 promotion of trade or industrial development. On those
14 occasions, when the representation is properly approved, those
15 persons shall be reimbursed for the actual expenses incurred
16 and paid by them if the representation is approved in advance
17 in writing by the Governor or by the Director of Finance when
18 so designated by the Governor.

19 "(d) This section shall not apply to examiners or
20 other persons designated by the Commissioner of Insurance to
21 examine or cause to be examined the domestic insurance
22 corporations qualified in this state when the expense incurred
23 by those persons shall be paid by, collected, or received from
24 the corporations examined under Section 27-2-25.

25 "(e) This section shall be optional with the
26 employing agency in those instances where the employee is
27 required to attend training sessions, schools, seminars, or

1 other like group functions at a facility when it would serve
2 the best interests of both the state and the employee, or in
3 those instances when the employee is assigned to assist in
4 suppressing on-going natural disaster situations, or other
5 emergencies. In those cases, the cost of meals and per diem
6 may be paid as set forth herein or by the employing agency of
7 the state directly to the contract facility furnishing the
8 service, but the costs of these services shall not exceed the
9 amount allowable to the individual employee for in-state
10 travel.

11 "(f) For purposes of applying this section to
12 members of the Legislature, each of the following shall apply:

13 "(1) The presiding officer of the house to which the
14 member belongs shall determine if the travel is in the service
15 of the state.

16 "(2) In connection with the same travel, members of
17 the Legislature shall receive per diem under this section
18 except in either of the following instances:

19 "a. For attendance on special or regular session
20 days or committee meeting days of the Legislature when
21 otherwise compensated pursuant to law.

22 "b. For attendance on interim committee meeting days
23 of the Legislature when otherwise compensated pursuant to law.

24 "(3) Travel means a departure from the place of
25 residence of the member of the Legislature."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.