

By: Gordon

To: Fees, Salaries and
Administration;
AppropriationsSENATE BILL NO. 3190
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO
2 ALLOW FOR POSTAUDIT OF TRAVEL REIMBURSEMENT RECORDS OF PUBLIC
3 OFFICERS AND EMPLOYEES; TO ALLOW A DESIGNEE OF THE GOVERNOR TO
4 APPROVE TRAVEL OUTSIDE OF THE CONTINENTAL UNITED STATES; TO ALLOW
5 FOR MULTIPLE CONTRACTS WITH MULTIPLE TRAVEL AGENCIES FOR THE
6 PROVISION OF NECESSARY TRAVEL SERVICES FOR STATE OFFICERS AND
7 EMPLOYEES; TO REQUIRE APPROVAL BY THE EXECUTIVE DIRECTOR OF THE
8 DEPARTMENT OF FINANCE AND ADMINISTRATION BEFORE THE ADMINISTRATIVE
9 HEAD OF EACH STATE INSTITUTION OF HIGHER LEARNING MAY CONTRACT
10 WITH A COMMERCIAL TRAVEL AGENCY TO PROVIDE TRAVEL SERVICES; AND
11 FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 SECTION 1. Section 25-3-41, Mississippi Code of 1972, is
14 amended as follows:[BD1]

15 25-3-41. (1) When any officer or employee of the State of
16 Mississippi, or any department, agency or institution thereof,
17 after first being duly authorized, is required to travel in the
18 performance of his official duties, such officer or employee shall
19 receive as expenses for each mile actually and necessarily
20 traveled, when such travel is done by a privately owned automobile
21 or other privately owned motor vehicle, the mileage reimbursement
22 rate allowable to federal employees for the use of a privately
23 owned vehicle while on official travel.

24 (2) When any officer or employee of any county or
25 municipality, or of any agency, board or commission thereof, after
26 first being duly authorized, is required to travel in the
27 performance of his official duties, such officer or employee shall
28 receive as expenses Twenty Cents (20¢) for each mile actually and
29 necessarily traveled, when such travel is done by a privately
30 owned motor vehicle; provided, however, that the governing

31 authorities of a county or municipality may, in their discretion,
32 authorize an increase in the mileage reimbursement of officers and
33 employees of such county or municipality, or of any agency, board
34 or commission thereof, in an amount not to exceed the mileage
35 reimbursement rate authorized for officers and employees of the
36 State of Mississippi in subsection (1) of this section.

37 (3) Where two (2) or more officers or employees travel in
38 one (1) privately owned motor vehicle, only one (1) travel expense
39 allowance at the authorized rate per mile shall be allowed for any
40 one (1) trip. When such travel is done by means of a public
41 carrier or other means not involving a privately owned motor
42 vehicle, then such officer or employee shall receive as travel
43 expense the actual fare or other expenses incurred in such travel.

44 (4) In addition to the foregoing, a public officer or
45 employee shall be reimbursed for other actual expenses such as
46 meals, lodging and other necessary expenses incurred in the course
47 of such travel, subject to limitations placed on meals for
48 intrastate and interstate official travel by the Department of
49 Finance and Administration, provided, that the Legislative Budget
50 Office shall place any limitations for expenditures made on
51 matters under the jurisdiction of the Legislature. The Department
52 of Finance and Administration shall set a maximum daily
53 expenditure annually for such meals and shall notify officers and
54 employees of changes to these allowances immediately upon approval
55 of such changes. Travel by airline shall be at the tourist rate
56 unless such space was unavailable. The officer or employee shall
57 certify that tourist accommodations were not available if travel
58 is performed in first class airline accommodations. Itemized
59 expense accounts shall be submitted by such officers or employees
60 in such number as the department, agency or institution may
61 require; but in any case one (1) copy shall be furnished by state
62 departments, agencies or institutions to the Department of Finance
63 and Administration for preaudit or postaudit. The Department of
64 Finance and Administration shall promulgate and adopt reasonable
65 rules and regulations which it deems necessary and requisite to
66 effectuate economies for all expenses authorized and paid pursuant
67 to this section. Requisitions shall be made on the State Fiscal

68 Officer who shall issue his warrant on the State Treasurer.
69 Provided, however, that the provisions of this section shall not
70 include agencies financed entirely by federal funds and audited by
71 federal auditors.

72 (5) Any officer or employee of a county or municipality, or
73 any department, board or commission thereof, who is required to
74 travel in the performance of his official duties, may receive
75 funds prior to such travel, in the discretion of the
76 administrative head of the county or municipal department, board
77 or commission involved, for the purpose of paying necessary
78 expenses incurred during such travel. Upon return from such
79 travel, the officer or employee shall provide receipts of
80 transportation, lodging, meals, fees and any other expenses
81 incurred during the travel. Any portion of the funds advanced
82 which is not expended during the travel shall be returned by the
83 officer or employee. The Department of Audit shall adopt rules
84 and regulations regarding advance payment of travel expenses and
85 submission of receipts to ensure proper control and strict
86 accountability for such payments and expenses.

87 (6) No state or federal funds received from any source by
88 any arm or agency of the state shall be expended in traveling
89 outside of the continental limits of the United States until the
90 governing body or head of the agency makes a finding and
91 determination that the travel would be extremely beneficial to the
92 state agency and obtains a written concurrence thereof from the
93 Governor or his designee and the Department of Finance and
94 Administration.

95 (7) Where any officer or employee of the State of
96 Mississippi, or any department, agency or institution thereof, or
97 of any county or municipality, or of any agency, board or
98 commission thereof, is authorized to receive travel reimbursement
99 under any other provision of law, such reimbursement may be paid
100 under the provisions of this section or such other section, but

101 not under both.

102 (8) (a) The Department of Finance and Administration may
103 contract with one or more commercial travel agencies, after
104 receiving competitive bids or proposals therefor, for such travel
105 agency or agencies to provide * * * necessary travel services for
106 state officers and employees. However, the administrative head of
107 each state institution of higher learning may, in his discretion,
108 contract with a commercial travel agency to provide necessary
109 travel services for all academic officials and staff of the
110 university in lieu of participation in the state travel agency
111 contract. Any such decision by a university to contract with a
112 separate travel agency shall be approved by the Board of Trustees
113 of State Institutions of Higher Learning and * * * the Executive
114 Director of the Department of Finance and Administration.

115 (b) Before executing a contract with one or more travel
116 agencies, the Department of Finance and Administration shall
117 advertise for competitive bids or proposals once a week for two
118 (2) consecutive weeks in a regular newspaper having a general
119 circulation throughout the State of Mississippi. * * * If the
120 department determines that it should not contract with any of the
121 bidders initially submitting proposals, the department may reject
122 all such bids, advertise as provided herein and receive new
123 proposals before executing the contract or contracts. The
124 contract or contracts may be for a period not greater than three
125 (3) years, with an option for the travel agency or agencies to
126 renew the contract or contracts on a one-year basis on the same
127 terms as the original contract or contracts, for a maximum of two
128 (2) renewals. After the travel agency or agencies have renewed
129 the contract twice or have declined to renew the contract for the
130 maximum number of times, the Department of Finance and
131 Administration shall advertise for bids in the manner required by
132 this section and execute a new contract or contracts.

133 (c) Whenever any state officer or employee travels in

134 the performance of his official duties by airline or other public
135 carrier, he shall have his travel arrangements handled by such
136 travel agency or agencies.

137 SECTION 2. This act shall take effect and be in force from
138 and after July 1, 2000.