

By: Representatives Frierson, Bowles,
Clarke, Horne, Stevens

To: Appropriations

HOUSE BILL NO. 987

1 AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION PERFORM
3 THE FUNCTIONS OF THE STATE TRAVEL AGENCY IN THE EVENT THAT AN
4 EXISTING CONTRACT BETWEEN THE STATE AND A TRAVEL AGENT IS
5 TERMINATED UNTIL SUCH TIME AS A NEW TRAVEL AGENT CAN BE SELECTED;
6 AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 25-3-41, Mississippi Code of 1972, is
9 amended as follows:

10 25-3-41. (1) When any officer or employee of the State of
11 Mississippi, or any department, agency or institution thereof,
12 after first being duly authorized, is required to travel in the
13 performance of his official duties, such officer or employee shall
14 receive as expenses for each mile actually and necessarily
15 traveled, when such travel is done by a privately owned automobile
16 or other privately owned motor vehicle, the mileage reimbursement
17 rate allowable to federal employees for the use of a privately
18 owned vehicle while on official travel.

19 (2) When any officer or employee of any county or
20 municipality, or of any agency, board or commission thereof, after
21 first being duly authorized, is required to travel in the
22 performance of his official duties, such officer or employee shall
23 receive as expenses Twenty Cents (20¢) for each mile actually and
24 necessarily traveled, when such travel is done by a privately
25 owned motor vehicle; provided, however, that the governing
26 authorities of a county or municipality may, in their discretion,
27 authorize an increase in the mileage reimbursement of officers and
28 employees of such county or municipality, or of any agency, board

29 or commission thereof, in an amount not to exceed the mileage
30 reimbursement rate authorized for officers and employees of the
31 State of Mississippi in subsection (1) of this section.

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

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

62 to this section. Requisitions shall be made on the State Fiscal
63 Officer who shall issue his warrant on the State Treasurer.
64 Provided, however, that the provisions of this section shall not
65 include agencies financed entirely by federal funds and audited by
66 federal auditors.

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

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

90 (7) Where any officer or employee of the State of
91 Mississippi, or any department, agency or institution thereof, or
92 of any county or municipality, or of any agency, board or
93 commission thereof, is authorized to receive travel reimbursement
94 under any other provision of law, such reimbursement may be paid

95 under the provisions of this section or such other section, but
96 not under both.

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

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

128 (c) Whenever any state officer or employee travels in
129 the performance of his official duties by airline or other public
130 carrier, he shall have his travel arrangements handled by such
131 travel agency or agencies.

132 (d) In the event that the Department of Finance and
133 Administration or the travel agency finds it necessary to
134 terminate a travel contract, the department shall perform the
135 functions of the travel agency until such time as a new travel
136 agent can be selected in accordance with the provisions of this
137 subsection.

138 SECTION 2. This act shall take effect and be in force from
139 and after July 1, 2001.