

By: Senator(s) Canon, Dearing, Bryan, Hewes,
Walls

To: Fees, Salaries and
Administration

SENATE BILL NO. 2700

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

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

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

9 25-3-41. (1) When any officer or employee of the State of
10 Mississippi, or any department, agency or institution thereof,
11 after first being duly authorized, is required to travel in the
12 performance of his official duties, such officer or employee shall
13 receive as expenses for each mile actually and necessarily
14 traveled, when such travel is done by a privately owned automobile
15 or other privately owned motor vehicle, the mileage reimbursement
16 rate allowable to federal employees for the use of a privately
17 owned vehicle while on official travel.

18 (2) When any officer or employee of any county or
19 municipality, or of any agency, board or commission thereof, after
20 first being duly authorized, is required to travel in the
21 performance of his official duties, such officer or employee shall
22 receive as expenses Twenty Cents (20¢) for each mile actually and
23 necessarily traveled, when such travel is done by a privately
24 owned motor vehicle; provided, however, that the governing
25 authorities of a county or municipality may, in their discretion,
26 authorize an increase in the mileage reimbursement of officers and
27 employees of such county or municipality, or of any agency, board
28 or commission thereof, in an amount not to exceed the mileage

reimbursement rate authorized for officers and employees of the State of Mississippi in subsection (1) of this section.

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

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

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

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

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

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

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

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

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

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

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

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