

By: Senator(s) Farris

To: Fees, Salaries and Administration

SENATE BILL NO. 2808

1 AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT ANY DECISION BY A UNIVERSITY TO CONTRACT WITH A  
3 SEPARATE TRAVEL AGENCY, OTHER THAN THE STATE CONTRACT TRAVEL  
4 AGENCY, SHALL BE CERTIFIED TO THE EXECUTIVE DIRECTOR OF THE  
5 DEPARTMENT OF FINANCE AND ADMINISTRATION INSTEAD OF REQUIRING HIS  
6 APPROVAL; 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 certified to 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  
115 department determines that it should not contract with any of the  
116 bidders initially submitting proposals, the department may reject  
117 all such bids, advertise as provided herein and receive new  
118 proposals before executing the contract or contracts. The  
119 contract or contracts may be for a period not greater than three  
120 (3) years, with an option for the travel agency or agencies to  
121 renew the contract or contracts on a one-year basis on the same  
122 terms as the original contract or contracts, for a maximum of two  
123 (2) renewals. After the travel agency or agencies have renewed  
124 the contract twice or have declined to renew the contract for the  
125 maximum number of times, the Department of Finance and  
126 Administration shall advertise for bids in the manner required by  
127 this section 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           SECTION 2. This act shall take effect and be in force from  
133 and after its passage.