

By: Representative Hood (By Request)

To: Accountability,  
Efficiency, Transparency

HOUSE BILL NO. 1180

1 AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO  
2 DELETE THE REQUIREMENT IN LAW FOR CERTAIN STATE AGENCIES TO USE A  
3 TRIP OPTIMIZER SYSTEM FOR TRAVEL; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-3-41, Mississippi Code of 1972, is  
6 amended as follows:

7 25-3-41. (1) \* \* \* When any officer or employee of the  
8 State of Mississippi, or any department, agency or institution  
9 thereof, after first being duly authorized, is required to travel  
10 in the performance of his official duties, the officer or employee  
11 shall receive as expenses for each mile actually and necessarily  
12 traveled, when the travel is done by a privately owned automobile  
13 or other privately owned motor vehicle, the mileage reimbursement  
14 rate allowable to federal employees for the use of a privately  
15 owned vehicle while on official travel.

16 (2) When any officer or employee of any county or  
17 municipality, or of any agency, board or commission thereof, after  
18 first being duly authorized, is required to travel in the



19 performance of his official duties, the officer or employee shall  
20 receive as expenses Twenty Cents (20¢) for each mile actually and  
21 necessarily traveled, when the travel is done by a privately owned  
22 motor vehicle; provided, however, that the governing authorities  
23 of a county or municipality may, in their discretion, authorize an  
24 increase in the mileage reimbursement of officers and employees of  
25 the county or municipality, or of any agency, board or commission  
26 thereof, in an amount not to exceed the mileage reimbursement rate  
27 authorized for officers and employees of the State of Mississippi  
28 in subsection (1) of this section.

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

36 (4) In addition to the foregoing, a public officer or  
37 employee shall be reimbursed for other actual expenses such as  
38 meals, lodging and other necessary expenses incurred in the course  
39 of the travel, subject to limitations placed on meals for  
40 intrastate and interstate official travel by the Department of  
41 Finance and Administration, provided, that the Legislative Budget  
42 Office shall place any limitations for expenditures made on  
43 matters under the jurisdiction of the Legislature. The Department



44 of Finance and Administration shall set a maximum daily  
45 expenditure annually for such meals and shall notify officers and  
46 employees of changes to these allowances immediately upon approval  
47 of the changes. Travel by airline shall be at the tourist rate  
48 unless that space was unavailable. The officer or employee shall  
49 certify that tourist accommodations were not available if travel  
50 is performed in first class airline accommodations. Itemized  
51 expense accounts shall be submitted by those officers or employees  
52 in such number as the department, agency or institution may  
53 require; but in any case one (1) copy shall be furnished by state  
54 departments, agencies or institutions to the Department of Finance  
55 and Administration for preaudit or postaudit. The Department of  
56 Finance and Administration shall promulgate and adopt reasonable  
57 rules and regulations which it deems necessary and requisite to  
58 effectuate economies for all expenses authorized and paid pursuant  
59 to this section. Requisitions shall be made on the State Fiscal  
60 Officer who shall issue his warrant on the State Treasurer.  
61 Provided, however, that the provisions of this section shall not  
62 include agencies financed entirely by federal funds and audited by  
63 federal auditors.

64 (5) Any officer or employee of a county or municipality, or  
65 any department, board or commission thereof, who is required to  
66 travel in the performance of his official duties, may receive  
67 funds before the travel, in the discretion of the administrative  
68 head of the county or municipal department, board or commission



69 involved, for the purpose of paying necessary expenses incurred  
70 during the travel. Upon return from the travel, the officer or  
71 employee shall provide receipts of transportation, lodging, meals,  
72 fees and any other expenses incurred during the travel. Any  
73 portion of the funds advanced which is not expended during the  
74 travel shall be returned by the officer or employee. The  
75 Department of Audit shall adopt rules and regulations regarding  
76 advance payment of travel expenses and submission of receipts to  
77 ensure proper control and strict accountability for those payments  
78 and expenses.

79 (6) No state or federal funds received from any source by  
80 any arm or agency of the state shall be expended in traveling  
81 outside of the continental limits of the United States until the  
82 governing body or head of the agency makes a finding and  
83 determination that the travel would be extremely beneficial to the  
84 state agency and obtains a written concurrence thereof from the  
85 Governor, or his designee, and the Department of Finance and  
86 Administration. However, employees of state institutions of  
87 higher learning may expend funds for travel outside of the  
88 continental limits of the United States upon a written finding by  
89 the president or head of the institution that the travel would be  
90 extremely beneficial to the institution.

91 (7) Where any officer or employee of the State of  
92 Mississippi, or any department, agency or institution thereof, or  
93 of any county or municipality, or of any agency, board or



94 commission thereof, is authorized to receive travel reimbursement  
95 under any other provision of law, the reimbursement may be paid  
96 under the provisions of this section or the other section, but not  
97 under both.

98 (8) When the Governor, Lieutenant Governor or Speaker of the  
99 House of Representatives appoints a person to a board, commission  
100 or other position that requires confirmation by the Senate, the  
101 person may receive reimbursement for mileage and other actual  
102 expenses incurred in the performance of official duties before the  
103 appointment is confirmed by the Senate, as reimbursement for those  
104 expenses is authorized under this section.

105 (9) (a) The Department of Finance and Administration may  
106 contract with one or more commercial travel agencies, after  
107 receiving competitive bids or proposals therefor, for that travel  
108 agency or agencies to provide necessary travel services for state  
109 officers and employees. Municipal and county officers and  
110 municipal and county employees may also participate in the state  
111 travel agency contract and utilize these travel services for  
112 official municipal or county travel. However, the administrative  
113 head of each state institution of higher learning may, in his  
114 discretion, contract with a commercial travel agency to provide  
115 necessary travel services for all academic officials and staff of  
116 the university in lieu of participation in the state travel agency  
117 contract. Any such decision by a university to contract with a  
118 separate travel agency shall be approved by the Board of Trustees



119 of State Institutions of Higher Learning and the Executive  
120 Director of the Department of Finance and Administration.

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

139 (c) Whenever any state officer or employee travels in  
140 the performance of his official duties by airline or other public  
141 carrier, he may have his travel arrangements handled by that  
142 travel agency or agencies. The amount paid for airline  
143 transportation for any state officer or employee, whether the



144 travel was arranged by that travel agency or agencies or was  
145 arranged otherwise, shall not exceed the amount specified in the  
146 state contract established by the Department of Finance and  
147 Administration, Office of Purchasing and Travel, unless prior  
148 approval is obtained from the office.

149 \* \* \*

150 **SECTION 2.** This act shall take effect and be in force from  
151 and after its passage.

