

By: Representative Sanford

To: Accountability,
Efficiency, Transparency

HOUSE BILL NO. 723

1 AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE STATE OFFICERS AND EMPLOYEES TO BE REIMBURSED FOR
3 AUTHORIZED TRAVEL EXPENSES WITHIN TEN BUSINESS DAYS AFTER
4 SUBMITTING PROPER EXPENSE DOCUMENTATION; AND FOR RELATED PURPOSES.

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

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

8 25-3-41. (1) Subject to the provisions of subsection (10)
9 of this section, 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, the officer or employee shall
13 receive as expenses for each mile actually and necessarily
14 traveled, when the 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, the officer or employee shall
22 receive as expenses Twenty Cents (20¢) for each mile actually and
23 necessarily traveled, when the travel is done by a privately owned
24 motor vehicle; however, the governing authorities of a county or
25 municipality may, in their discretion, authorize an increase in
26 the mileage reimbursement of officers and employees of the county
27 or municipality, or of any agency, board or commission thereof, in
28 an amount not to exceed the mileage reimbursement rate authorized
29 for officers and employees of the State of Mississippi in
30 subsection (1) of this section.

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

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



45 matters under the jurisdiction of the Legislature. The Department
46 of Finance and Administration shall set a maximum daily
47 expenditure annually for such meals and shall notify officers and
48 employees of changes to these allowances immediately upon approval
49 of the changes. Travel by airline shall be at the tourist rate
50 unless that space was unavailable. The officer or employee shall
51 certify that tourist accommodations were not available if travel
52 is performed in first class airline accommodations. Itemized
53 expense accounts shall be submitted by those officers or employees
54 in such number as the department, agency or institution may
55 require; but in any case one (1) copy shall be furnished by state
56 departments, agencies or institutions to the Department of Finance
57 and Administration for preaudit or postaudit. The Department of
58 Finance and Administration shall promulgate and adopt reasonable
59 rules and regulations which it deems necessary and requisite to
60 ensure that an officer or employee receives reimbursement for
61 authorized travel expenses no later than ten (10) business days
62 after the officer or employee submits an itemized expense account
63 and any other required expense documentation to the appropriate
64 office in the state department, agency or institution in which the
65 individual is employed, and to effectuate economies for all
66 expenses authorized and paid pursuant to this section.
67 Requisitions shall be made on the State Fiscal Officer who shall
68 issue his warrant on the State Treasurer. However, the provisions



69 of this section shall not include agencies financed entirely by
70 federal funds and audited by federal auditors.

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

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



94 higher learning may expend funds for travel outside of the
95 continental limits of the United States upon a written finding by
96 the president or head of the institution that the travel would be
97 extremely beneficial to the institution.

98 (7) Where any officer or employee of the State of
99 Mississippi, or any department, agency or institution thereof, or
100 of any county or municipality, or of any agency, board or
101 commission thereof, is authorized to receive travel reimbursement
102 under any other provision of law, the reimbursement may be paid
103 under the provisions of this section or the other section, but not
104 under both.

105 (8) When the Governor, Lieutenant Governor or Speaker of the
106 House of Representatives appoints a person to a board, commission
107 or other position that requires confirmation by the Senate, the
108 person may receive reimbursement for mileage and other actual
109 expenses incurred in the performance of official duties before the
110 appointment is confirmed by the Senate, as reimbursement for those
111 expenses is authorized under this section.

112 (9) (a) The Department of Finance and Administration may
113 contract with one or more commercial travel agencies, after
114 receiving competitive bids or proposals therefor, for that travel
115 agency or agencies to provide necessary travel services for state
116 officers and employees. Municipal and county officers and
117 municipal and county employees may also participate in the state
118 travel agency contract and utilize these travel services for



119 official municipal or county travel. However, the administrative
120 head of each state institution of higher learning may, in his
121 discretion, contract with a commercial travel agency to provide
122 necessary travel services for all academic officials and staff of
123 the university in lieu of participation in the state travel agency
124 contract. Any such decision by a university to contract with a
125 separate travel agency shall be approved by the Board of Trustees
126 of State Institutions of Higher Learning and the Executive
127 Director of the Department of Finance and Administration.

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



Administration shall advertise for bids in the manner required by this paragraph and execute a new contract or contracts.

(c) Whenever any state officer or employee travels in the performance of his official duties by airline or other public carrier, he may have his travel arrangements handled by that travel agency or agencies. The amount paid for airline transportation for any state officer or employee, whether the travel was arranged by that travel agency or agencies or was arranged otherwise, shall not exceed the amount specified in the state contract established by the Department of Finance and Administration, Office of Purchasing and Travel, unless prior approval is obtained from the office.

(10) (a) For purposes of this subsection, the term "state agency" means any agency that is subject to oversight by the Bureau of Fleet Management of the Department of Finance and Administration under Section 25-1-77.

(b) Each state agency shall use a trip optimizer type system developed and administered by the Department of Finance and Administration in computing the optimum method and cost for travel by state officers and employees using a motor vehicle where the travel will exceed one hundred (100) miles per day and the officer or employee is not driving a state-owned or state-leased vehicle that has been dedicated or assigned to the officer or employee.

(c) The provisions of this subsection shall be used to determine the most cost-effective method of travel by motor



vehicles, whether those vehicles are owned by the state agency, leased by the state agency, or owned by the officer or employee, and shall be applicable for purposes of determining the maximum authorized amount of any travel reimbursement for officers and employees of those agencies related to vehicle usage.

(d) The maximum authorized amount of travel reimbursement related to motor vehicle usage shall be the lowest cost option as determined by the trip optimizer type system. All travel claims submitted for reimbursement shall include the results of the trip optimizer type system indicating the lowest cost option for travel by the state officer or employee.

(e) In providing a calculation of rates, the trip optimizer type system shall account for the distance that an officer or employee must travel to pick up a rental or state fleet vehicle, and shall account for the long-term rate discounts offered through the state purchasing contract for vehicle rentals.

(f) This subsection shall not apply to travel by state officials in motor vehicles driven by the official or in vehicles used for the transport of the official. The exemption in this paragraph (f) applies only to the state official and not to the staff or other employees of the state official. As used in this paragraph (f), "state official" means statewide elected officials and the elected members of the Public Service Commission.



192 (g) The provisions of this subsection shall not be
193 applicable to any state agency for the period beginning on April
194 8, 2022, through June 30, 2027.

195 **SECTION 2.** This act shall take effect and be in force from
196 and after July 1, 2025.

