

By: Senator(s) Farris

To: Fees, Salaries and Administration

SENATE BILL NO. 2908

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

29 reimbursement rate authorized for officers and employees of the
30 State of Mississippi in 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 such travel is done by means of a public
35 carrier or other means not involving a privately owned motor
36 vehicle, then such 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 such travel, subject to limitations placed on meals for
42 intrastate and interstate official travel by the Department of
43 Finance and Administration, provided, that the Legislative Budget
44 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 such changes. Travel by airline shall be at the tourist rate
50 unless such 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 such 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 effectuate economies for all expenses authorized and paid pursuant
61 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. The officer or employee shall return
76 any portion of the funds advanced which is not expended during the
77 travel. The Department of Audit shall adopt rules and regulations
78 regarding advance payment of travel expenses and submission of
79 receipts to ensure proper control and strict accountability for
80 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

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

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

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