1   _____ BILL NO. _____

2   INTRODUCED BY _____
                                              (Primary Sponsor)
3   BY REQUEST OF THE LEGISLATIVE COUNCIL

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5   A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LEGISLATORS USING THEIR OWN MOTOR

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8   VEHICLES IN THE PERFORMANCE OF OFFICIAL DUTIES TO COLLECT MILEAGE AT A RATE EQUAL TO

9   THE MILEAGE ALLOTMENT ALLOWED BY THE UNITED STATES INTERNAL REVENUE SERVICE FOR

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12   THE CURRENT YEAR; AMENDING SECTION 2-18-503, MCA; AND PROVIDING AN IMMEDIATE

13   EFFECTIVE DATE."

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15   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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17   **Section 1.** Section 2-18-503, MCA, is amended to read:

18   "**2-18-503.   Mileage -- allowance.** (1) Members of the legislature, state officers and employees, jurors,

19   witnesses, county agents, and all other persons who may be entitled to mileage paid from public funds when

20   using their own motor vehicles in the performance of official duties are entitled to collect mileage for the

21   distance actually traveled by motor vehicle and no more unless otherwise specifically provided by law.

22   (2)   (a) When a state officer or employee is authorized to travel by motor vehicle and chooses to

23   use a privately owned motor vehicle even though a government-owned or government-leased motor vehicle is

24   available, the officer or employee may be reimbursed only at the rate of 48.15% of the mileage rate allowed by

25   the United States internal revenue service for the current year.

26   (b)   When a privately owned motor vehicle is used because a government-owned or government-

27   leased motor vehicle is not available or because the use is in the best interest of the governmental entity and a

28   notice of unavailability of a government-owned or government-leased motor vehicle or a specific exemption is

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1   attached to the travel claim, then a rate equal to the mileage allotment allowed by the United States internal

2   revenue service for the current year must be paid for the first 1,000 miles and 3 cents less per mile for all

3   additional miles traveled within a given calendar month.

4   (3)   (a) ~~Members of the legislature, jurors,~~ Jurors, witnesses, county agents, and all other persons,

5   except a state officer or employee, who may be entitled to mileage paid from public funds when using their own

6   motor vehicles in the performance of official duties are entitled to collect mileage at a rate equal to the mileage

7   allotment allowed by the United States internal revenue service for the current year for the first 1,000 miles and

8   3 cents less per mile for all additional miles traveled within a given calendar month.

9   (b)   Members of the legislature are entitled to mileage paid from public funds when using their own

10   motor vehicles in the performance of official duties are entitled to collect mileage at a rate equal to the mileage

11   allotment allowed by the United States internal revenue service for the current year.

12   (4)   Members of the legislature, state officers and employees, jurors, witnesses, county agents, and

13   all other persons who may be entitled to mileage paid from public funds when using their own airplanes in the

14   performance of official duties are entitled to collect mileage for the nautical air miles actually traveled at a rate

15   of twice the mileage allotment for motor vehicle travel and no more unless specifically provided by law.

16   (5)   This section does not alter 5-2-301.

17   (6)   The department of administration shall prescribe policies necessary for the effective

18   administration of this section for state government. The Montana Administrative Procedure Act, Title 2, chapter

19   4, does not apply to policies prescribed to administer this part."

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21   NEW SECTION. **Section 2.   Effective date.** [This act] is effective on passage and approval.

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