

Amendment - 1st Reading/2nd House-blue - Requested by: John Esp - (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Jaret Coles, 406-444-4022

HB0028.001.004

HOUSE BILL NO. 28

INTRODUCED BY R. KNUDSEN

BY REQUEST OF THE LEGISLATIVE COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LEGISLATOR EXPENSE REIMBURSEMENTS; PROVIDING FOR LEGISLATOR PER DIEM PAYMENTS EQUAL TO THE AMOUNT RECEIVED BY FEDERAL EMPLOYEES; AMENDING SECTION 5-2-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND ~~AN A RETROACTIVE~~ APPLICABILITY DATE."

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

Section 1. Section 5-2-301, MCA, is amended to read:

"5-2-301. Compensation and expenses for members while in session. (1) Legislators are entitled to a salary commensurate to that of the daily rate for an employee earning \$10.33 an hour when the regular session of the legislature in which they serve is convened under 5-2-103 for those days during which the legislature is in session. The hourly rate must be adjusted by any statutorily required pay increase. The president of the senate and the speaker of the house must receive an additional \$5 a day in salary for those days during which the legislature is in session.

(2) Legislators may serve for no salary.

(3) ~~Subject to subsection (4), legislators~~ Legislators are entitled to a daily allowance, 7 days a week, during a legislative session, as reimbursement for lodging, breakfast, lunch, dinner, and incidental expenses incurred in attending a session. The amount of the daily allowance is equal to the amount an employee of the executive branch of the federal government is generally entitled to receive as per diem for lodging, breakfast, lunch, dinner, and incidental expenses while away from home in the city of Helena but serving in the United States. Expense payments must stop when the legislature recesses for more than 3 days and resume when the legislature reconvenes.

~~(4) After November 15, and prior to December 15 of each even-numbered year, the department of~~

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2 NEW SECTION. Section 3. Retroactive applicability. [This act] applies retroactively, within the
3 meaning of 1-2-109, to reimbursements for daily allowances made on or after January 2, 2023.

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5 ~~NEW SECTION. Section 3. Applicability. [This act] applies to reimbursements for daily allowances~~
6 ~~on or after [the effective date of this act].~~

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- END -