

HOUSE BILL NO. 769

INTRODUCED BY E. MATTHEWS, S. NOVAK, J. ISALY, E. TILLEMANN, D. HARVEY, K. WALSH

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE COMPUTATION OF MEAL ALLOWANCES FOR CERTAIN EMPLOYEES THAT WORK NIGHT-SHIFT HOURS; AMENDING SECTION 2-18-502, MCA."

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

Section 1. Section 2-18-502, MCA, is amended to read:

"2-18-502. Computation of meal allowance. (1) Except as provided in subsections (2) and (4), an employee is eligible for the meal allowance provided in 2-18-501, only if the employee is in a travel status for more than 3 continuous hours during the following hours:

(a) for non-night-shift hours:

~~(a)~~(i) for the morning meal allowance, between the hours of 12:01 a.m. and 10 a.m.;

~~(b)~~(ii) for the midday meal allowance, between the hours of 10:01 a.m. and 3 p.m.; and

~~(c)~~(iii) for the evening meal allowance, between the hours of 3:01 p.m. and 12 midnight;

(b) for night-shift hours:

(i) for the evening meal allowance, between the hours of 12:01 p.m. and 10 p.m.;

(ii) for the midnight meal allowance, between the hours of 10:01 p.m. and 3 a.m.; and

(iii) for the early morning meal allowance, between the hours of 3:01 a.m. and 12 noon.

(2) An eligible employee may receive:

(a) only one of the three meal allowances provided, if the travel was performed within the employee's assigned travel shift; or

(b) a maximum of two meal allowances if the travel begins before or was completed after the employee's assigned travel shift and the travel did not exceed 24 hours.

(3) "Travel shift" is that period of time beginning 1 hour before and terminating 1 hour after the employee's normally assigned work shift.

(4) An appointed member of a state board, commission, or council or a member of a legislative

1 subcommittee or select or interim committee is entitled to a midday meal allowance on a day the individual is
2 attending a meeting of the board, commission, council, or committee, regardless of proximity of the meeting
3 place to the individual's residence or headquarters. This subsection does not apply to a member of a legislative
4 committee during a legislative session.

5 (5) The department of administration shall prescribe policies necessary to effectively administer
6 this section for state government."

7 - END -