

1 HOUSE BILL NO. 208
2 INTRODUCED BY R. MARSHALL

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING STATE EMPLOYEE TRAVEL RULES; NARROWING
5 THE SCOPE OF ALLOWABLE STATE EMPLOYEE TRAVEL; ~~CHANGING POLICY TO REQUIRE~~
6 ~~DOCUMENTATION FOR ALL TYPES OF TRAVEL REIMBURSEMENT~~; RESTRICTING THE USE OF STATE
7 PROCUREMENT CARDS RELATED TO STATE EMPLOYEE TRAVEL; ~~REQUIRING APPROVAL BY AN~~
8 ~~AGENCY DIRECTOR~~; AMENDING SECTION 2-18-501, MCA; AND PROVIDING AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 2-18-501, MCA, is amended to read:

13 **"2-18-501. Meals, lodging, and transportation of persons in state service.** All elected state
14 officials, appointed members of boards, commissions, or councils, department directors, and all other state
15 employees must be reimbursed for meals and lodging while away from the person's designated headquarters
16 and engaged in official state business in accordance with the following provisions:

17 (1) All travel expenses state employee out-of-state travel must be authorized by the director of the
18 employee's agency the employee's department head, deputy department head, or division administrator. All
19 state employee travel to a foreign country must be authorized by the employee's department head.

20 ~~(1)(2)~~ Except as provided under subsection ~~(3)~~ (4), for travel within the state of Montana, lodging
21 must be authorized at the actual cost of lodging and taxes on the allowable cost of lodging, except as provided
22 in subsection ~~(3)~~ (4), plus \$7.50 for the morning meal, \$8.50 for the midday meal, and \$14.50 for the evening
23 meal except as provided in subsection ~~(10)~~ (11). All claims for lodging expense reimbursement allowed under
24 this section must be documented by an appropriate receipt.

25 ~~(2)(3)~~ Except as provided in subsection ~~(3)~~ (4), for travel outside the state of Montana and within the
26 United States, the following provisions apply:

27 (a) Lodging must be reimbursed at actual cost, not to exceed the prescribed maximum standard
28 federal rate per day for the location involved plus taxes on the allowable cost.

1 (b) Meal reimbursement may not exceed the prescribed maximum standard federal rate per meal.

2 (c) ~~A state agency may not pay an employee's travel costs to attend a function that does not~~
3 ~~benefit the state.~~

4 (d) ~~All-Except meal reimbursement, all reimbursable expenses in excess of \$25 must be supported~~
5 ~~by a receipt regardless of the amount.~~

6 (e) ~~State-If a state employee has been issued a state procurement card, the state employee shall~~
7 ~~use the state procurement cards are to be used only card for air travel, lodging, and rental cars. A state~~
8 ~~employee traveling outside of the state may not use the state procurement card to purchase meals, food, or~~
9 ~~drinks.~~

10 (f) ~~If a state-of Montana employee is performing work for another state or organization and travels~~
11 ~~to perform work for that state or organization, the other state or organization must shall pay the state~~
12 ~~employee's travel expenses or reimburse the state agency for all travel, lodging, and, if necessary, the~~
13 ~~employee's regular work time wages expenses. The state employee's department head, deputy department~~
14 ~~head, division administrator, or bureau chief may approve payment of the employee's regular work time wages~~
15 ~~if participation in the function directly benefits the employee's agency.~~

16 (g) ~~A state employee traveling on state business who is accompanied by a traveler not on state~~
17 ~~business shall be responsible for the accompanying traveler's expenses. State funding may not be utilized for~~
18 ~~the accompanying traveler's expenses-When a state employee is traveling on official state business and is~~
19 ~~accompanied by a traveler who is not traveling on official state business, state funds may not be utilized for the~~
20 ~~accompanying traveler's expenses.~~

21 (h) ~~A state employee may not join or utilize frequent traveler programs or promotions while on~~
22 ~~state business.~~

23 (i)(h) ~~A state employee traveling on official state business may not voluntarily bump from any~~
24 ~~commercial air flight volunteer for denied boarding on any commercial air flight unless volunteering for denied~~
25 ~~boarding will not interfere with the employee's performance of official duties, the employee personally bears the~~
26 ~~cost of any additional travel expenses, and no additional expense is incurred by the state. A state employee~~
27 ~~who volunteers for denied boarding as provided in this subsection (3)(h) may not claim paid work time but may~~
28 ~~use appropriate leave time for additional travel time caused by volunteering for denied boarding.~~

1 ~~(j)(i)~~ A state employee ~~who is involuntarily bumped from a commercial air flight while on state~~
 2 ~~business and receives a free ticket or other benefit from the airline shall report it to their agency immediately. All~~
 3 ~~free tickets and cash vouchers are property of the state~~ traveling on official state business who is denied a
 4 ~~confirmed reserved seat on a commercial air flight shall notify the employee's agency and remit to the~~
 5 ~~employee's agency any payment received from the carrier as a result of the denial. The state employee shall~~
 6 ~~inform the carrier that payment must be made to the "State of Montana", and the state employee shall forward~~
 7 ~~payment to the appropriate agency official.~~

8 ~~(k)(j)~~ A state employee traveling on official state business ~~may not upgrade to business or first class~~
 9 ~~on an airline. A state employee traveling via airline shall travel in coach~~ shall use coach-class tickets for all
 10 ~~transportation, unless:~~

11 ~~(i)~~ ~~no coach-class transportation tickets are available and traveling other than coach class would~~
 12 ~~reduce the overall cost of travel; or~~

13 ~~(ii)~~ ~~the cost to the state of other than coach-class travel is less than or equal to the cost of coach-~~
 14 ~~class travel and there is no additional cost to the state for other than coach-class travel.~~

15 ~~(l)(k)~~ A receipt for all expenses is required for a state employee who purchases ~~their transportation~~
 16 ~~tickets, lodging, and meals air travel, lodging, or rental cars on a personal card shall be reimbursed only at the~~
 17 ~~state rate, and receipts for all expenses are required.~~

18 ~~(3)(4)~~ Except as provided in subsection ~~(10)~~ (11), the department of administration shall designate
 19 the locations and circumstances under which the governor, other elected state officials, appointed members of
 20 boards, commissions, or councils, department directors, and all other state employees may be authorized the
 21 actual cost of the following:

22 (a) meals, not including alcoholic beverages, when the actual cost exceeds the maximum
 23 established in subsection ~~(4)(a)~~ (5)(a); and

24 (b) lodging when the actual cost exceeds the maximum established in subsection ~~(2)(a)~~ (3)(a) or
 25 ~~(4)(a)~~ (5)(a).

26 ~~(4)(5)~~ Except as provided in subsection ~~(3)~~ (4), for travel to a foreign country, the following provisions
 27 apply:

28 (a) All elected state officials, all appointed members of boards, commissions, and councils, all

1 department directors, and all other state employees must be reimbursed as follows:

2 (i) \$7 for the morning meal, \$11 for the midday meal, and \$18 for the evening meal; and

3 (ii) \$155 per night for lodging.

4 (b) All claims for meal and lodging reimbursement allowed under this subsection ~~(4)~~(5) must be
5 documented by an appropriate receipt.

6 ~~(5)~~(6) When other than commercial, nonreceiptable lodging facilities are used by a state official or
7 employee while conducting official state business in a travel status, the amount of \$12 is authorized for lodging
8 expenses for each day in which travel involves an overnight stay in lieu of the amount authorized in subsection
9 ~~(1)~~(2) or ~~(2)~~(a) ~~(3)~~(a). However, when overnight accommodations are provided at the expense of a government
10 entity, reimbursement may not be claimed for lodging.

11 ~~(6)~~(7) The actual cost of reasonable transportation expenses and other necessary business
12 expenses incurred by a state official or employee while in an official travel status is subject to reimbursement.

13 All reimbursable expenses must be supported by a receipt regardless of the amount.

14 ~~(7)~~(8) The provisions of this section may not be construed as affecting the validity of 5-2-301.

15 ~~(8)~~(9) The department of administration shall establish policies necessary to effectively administer
16 this section for state government.

17 ~~(9)~~(10) All commercial air travel must be by the least expensive class service available.

18 ~~(10)~~(11) When the actual cost of meals exceeds the maximum standard allowed pursuant to
19 subsection (1), the department of administration may authorize the actual cost of meals for firefighters.

20 ~~(11)~~(12) For the purposes of implementing subsection ~~(10)~~(11), the following definitions apply:

21 (a) "Firefighter" means a firefighter who is employed by the department of natural resources and
22 conservation and who is directly involved in the suppression of a wildfire in Montana.

23 (b) "Wildfire" means an unplanned, unwanted fire burning uncontrolled and consuming vegetative
24 fuels."

25

26 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.

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