

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1107

Introduced by

Government and Veterans Affairs Committee

(At the request of the Legislative Compensation Commission)

1 A BILL for an Act to amend and reenact subsections 1 and 5 of section 54-06-09 of the North
2 Dakota Century Code, relating to mileage and travel expense reimbursement for state officials
3 and employees.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsections 1 and 5 of section 54-06-09 of the North
6 Dakota Century Code are amended and reenacted as follows:

7 1. State officials, whether elective or appointive, and their deputies, assistants, and
8 clerks, or other state employees, entitled by law to be reimbursed for mileage or
9 travel expense, must be allowed and paid for mileage and travel expense the
10 following amounts:

11 a. The sum of ~~thirty-seven and one-half~~ forty-five cents per mile [1.61
12 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in
13 the performance of official duty when the travel is by motor vehicle, the use of
14 which is required by the employing entity. The sum of ~~seventy~~ seventy-eight
15 cents per mile [1.61 kilometers] for each mile [1.61 kilometers] actually and
16 necessarily traveled in the performance of official duty when the travel is by
17 private airplane. Mileage by private aircraft must be computed by actual air
18 mileage when only one state employee or official is traveling; if two or more
19 state employees or officials are traveling by private aircraft, the actual mileage
20 must be based on the road mileage between the geographical points.

21 Reimbursement for private airplane travel must be calculated as follows:

22 (1) If reimbursement is for one properly authorized and reimbursable
23 passenger, reimbursement must be paid on a per mile basis as
24 provided in this subsection.

- 1 (2) If reimbursement is claimed for a chartered private aircraft,
2 reimbursement may not exceed the cost of regular coach fare on a
3 commercial flight, if one is scheduled between the point of departure,
4 point of destination, and return, for each properly authorized and
5 reimbursable passenger on the charter flight; or, where there is no such
6 regularly scheduled commercial flight, the actual cost of the charter.
- 7 b. Except as provided in subdivision a, when travel is by rail or certificated air
8 taxi commercial operator or other common carrier, including regularly
9 scheduled flights by airlines, the amount actually and necessarily expended
10 therefor in the performance of official duties.
- 11 5. Notwithstanding the other provisions of this section, state employees permanently
12 located outside the state or on assignments outside the state for an indefinite
13 period of time, exceeding at least thirty consecutive days, must be allowed and
14 paid ~~thirty-seven and one-half~~ forty-five cents per mile [1.61 kilometers] for each
15 mile [1.61 kilometers] actually and necessarily traveled in the performance of
16 official duty when such travel is by motor vehicle, and the three-hundred-mile
17 [482.80-kilometer] restriction imposed by subsection 3 does not apply.