

FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2084

Introduced by

State and Local Government Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to amend and reenact subsections 2 and 6 of section 44-08-04, subsection 2
2 of section 54-03-20, and subsection 5 of section 54-06-09 of the North Dakota Century Code,
3 relating to authorized travel expense and lodging reimbursement rates.

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

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 44-08-04 of the North Dakota Century
6 Code is amended and reenacted as follows:

- 7 2. For travel within the state, the following rates for each quarter of any twenty-four-hour
8 period must be used:
- 9 a. First quarter is from six a.m. to twelve noon and the sum must be nine dollars.
10 First quarter reimbursement may not be made if travel began after seven a.m.
 - 11 b. Second quarter is from twelve noon to six p.m. and the sum must be fourteen
12 dollars.
 - 13 c. Third quarter is from six p.m. to twelve midnight and the sum must be twenty-two
14 dollars.
 - 15 d. Fourth quarter is from twelve midnight to six a.m. and the sum must be the actual
16 lodging expenses not to exceed an amount established by policy by the director
17 of the office of management and budget plus any additional applicable state or
18 local taxes. The director shall establish a policy to set the lodging reimbursement
19 at an amount equal to ninety percent of the rate established by the United States
20 general services administration for lodging reimbursement in this state. A political
21 subdivision may reimburse an elective or appointive officer, employee,
22 representative, or agent for actual lodging expenses.

1 **SECTION 2. AMENDMENT.** Subsection 6 of section 44-08-04 of the North Dakota Century
2 Code is amended and reenacted as follows:

3 6. The allowance for in-state lodging must be equal to the United States general services
4 administration lodging rate for the North Dakota city for which the lodging claim is
5 made, plus any additional applicable state or local taxes. The director shall establish a
6 policy to set the lodging allowance in instances when the United States general
7 services administration lodging rate is not available. The allowance for lodging outside
8 the state must be the actual lodging expense.

9 **SECTION 3. AMENDMENT.** Subsection 2 of section 54-03-20 of the North Dakota Century
10 Code is amended and reenacted as follows:

11 2. a. Each member of the legislative assembly is entitled to receive reimbursement for
12 lodging, which may not exceed per calendar month the amount established under
13 this subdivision by the director of the office of management and budget for
14 lodging in state and which may not exceed the rate provided in section 44-08-04
15 for each calendar day during the period of any organizational, special, or regular
16 session. On August first of each even-numbered year, the director of the office of
17 management and budget shall set the maximum monthly reimbursement for the
18 subsequent two-year period at an amount equal to thirty times seventy-five
19 percent of the daily lodging reimbursement in effect on that date as provided
20 under ~~subdivision d~~ of subsection 26 of section 44-08-04.

21 b. Notwithstanding subdivision a:
22 (1) A member of the legislative assembly may elect to be reimbursed for less
23 than the amount to which the legislator is entitled under this subsection by
24 claiming the lesser amount on a voucher submitted with the receipt required
25 by section 44-08-04.
26 (2) The legislative management may establish guidelines that may result in a
27 reduced maximum reimbursement for a single dwelling in which two or more
28 legislators share lodging and the total rent for that dwelling exceeds the
29 amount to which a legislator is entitled under subdivision a.

30 **SECTION 4. AMENDMENT.** Subsection 5 of section 54-06-09 of the North Dakota Century
31 Code is amended and reenacted as follows:

- 1 5. Notwithstanding the other provisions of this section, state employees permanently
2 located outside the state or on assignments outside the state for an indefinite period of
3 time, exceeding at least thirty consecutive days, must be allowed and paid ~~forty-five-~~
4 ~~cents~~United States general services administration mileage rate per mile [1.61
5 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in the
6 performance of official duty when such travel is by motor vehicle, and the
7 three-hundred-mile [482.80-kilometer] restriction imposed by subsection 3 does not
8 apply.