

1 **JOINT RULES RESOLUTION ON COMPENSATION AND**
2 **EXPENSE REIMBURSEMENTS**

3 2012 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Brad L. Dee**

6 Senate Sponsor: Scott K. Jenkins

7
8 **LONG TITLE**

9 **General Description:**

10 This joint rules resolution of the Legislature modifies provisions relating to legislator
11 pay and the reimbursement of transportation, lodging, and meal expenses.

12 **Highlighted Provisions:**

13 This rules resolution:

- 14 ▶ modifies definitions;
- 15 ▶ requires the Legislative Expenses Oversight Committee to ensure that procedures
16 are established for the purpose of avoiding duplicate or improper reimbursements;
- 17 ▶ provides that lodging expenses may be paid to a legislator only as a reimbursement
18 of expenses that are necessarily incurred by the legislator on authorized legislative
19 days;
- 20 ▶ limits lodging expenses to nightly lodging rates set by state administrative rule;
- 21 ▶ provides that a legislator may be reimbursed for actual meal expenses incurred by
22 the legislator on authorized legislative days;
- 23 ▶ limits meal expenses to the per-diem meal rates for in-state travel set by state
24 administrative rule;
- 25 ▶ provides that a legislator may be reimbursed for actual expenses incurred by the
26 legislator to travel to and from legislative meetings on authorized legislative days;
- 27 ▶ requires that transportation cost reimbursements be subject to certain type and cost



- 28 requirements similar to state administrative reimbursement rules;
- 29 ▶ requires each legislator to submit supporting documentation with each
- 30 reimbursement request;
- 31 ▶ permits a legislator to decline to request or receive reimbursement for costs or
- 32 expenses;
- 33 ▶ permits a legislator to request and receive a partial or reduced reimbursement
- 34 amount;
- 35 ▶ provides that legislators are paid a daily compensation for each authorized
- 36 legislative day;
- 37 ▶ repeals provisions relating to expense policies that will be discontinued with
- 38 adoption of the new salary and reimbursement rules; and
- 39 ▶ makes technical changes.

40 **Special Clauses:**

41 This rules resolution takes effect on January 1, 2013.

42 **Legislative Rules Affected:**

43 AMENDS:

44 **JR5-1-101**

45 **JR5-1-102**

46 ENACTS:

47 **JR5-2-103**

48 **JR5-2-104**

49 REPEALS AND REENACTS:

50 **JR5-2-101**

51 **JR5-2-102**

52 **JR5-3-101**

53 REPEALS:

54 **JR5-3-102**

55 **JR5-3-103**



57 *Be it resolved by the Legislature of the state of Utah:*

58 Section 1. **JR5-1-101** is amended to read:

59 TITLE 5. LEGISLATIVE COMPENSATION AND EXPENSES

60 CHAPTER 1. GENERAL PROVISIONS

61 **JR5-1-101. Definitions.**

62 As used in this title "authorized legislative day" means:

63 [~~(1) "Authorized legislative meeting" means:~~]

64 [~~(a) special sessions;~~]

65 [~~(b) veto override sessions;~~]

66 [~~(c) interim committee and subcommittee meetings;~~]

67 [~~(d) management committee and subcommittee meetings;~~]

68 [~~(e) executive appropriation and subcommittee meetings; and]~~

69 [~~(f) the meetings of any other body where legislative participation is required by law or~~
70 ~~authorized by the Legislative Management Committee.]~~

71 [~~(2) "Mileage" means the mileage reimbursement allowance approved by the Division~~
72 ~~of Finance for state employees.]~~

73 (1) a general session day, which includes any day during the period that begins on the
74 day that the Legislature convenes in annual general session until the midnight of the 45th day
75 of the annual general session;

76 (2) a special session day;

77 (3) a veto override session day;

78 (4) an interim day designated by the Legislative Management Committee; or

79 (5) any other day that includes a meeting of a committee, subcommittee, commission,
80 task force, or other legislative meeting, provided that:

81 (a) the committee, subcommittee, commission, task force, or other entity is created by
82 statute or joint resolution;

83 (b) the legislator's attendance at the meeting is approved by the Legislative
84 Management Committee; and

85 (c) service and payment for service by the legislator is not in violation of the Utah
86 Constitution, including Article V and Article VI, Sections 6 and 7.

87 Section 2. **JR5-1-102** is amended to read:

88 **JR5-1-102. Legislative Expenses Oversight Committee.**

89 (1) The presiding officer and the majority leader and minority leader of each house are

90 the Legislative Expenses Oversight Committee for that house.

91 (2) Each committee shall:

92 (a) establish procedures to implement the rules on legislative expenses, including
93 establishing [~~vouchering~~] systems and procedures for the [~~disbursement~~] reimbursement of
94 legislative expenses; [~~and~~]

95 (b) ensure that procedures are established for the purpose of avoiding duplicate or
96 improper payments or reimbursements; and

97 [~~(b)~~] (c) meet at least annually, or at the request of a majority of the committee, to
98 review legislative expenses and travel budgets.

99 (3) The presiding officer may authorize temporary emergency legislative expenses.

100 Section 3. **JR5-2-101** is repealed and reenacted to read:

101 **CHAPTER 2. LODGING, MEAL, AND TRANSPORTATION EXPENSES**

102 **JR5-2-101. Reimbursement of lodging and meal expenses.**

103 (1) If a legislator's duties on the authorized legislative day necessitate overnight
104 accommodations, the legislator may receive reimbursement for any actual lodging expenses
105 incurred by the legislator, up to the per diem rates published in the administrative rules
106 governing reimbursement of lodging expenses for state employees.

107 (2) A legislator may receive reimbursement for any actual meal expenses incurred by
108 the legislator in association with the legislator's duties on an authorized legislative day, subject
109 to the rates and time calculation requirements set in the administrative rules governing
110 reimbursement of meal expenses for state employees.

111 Section 4. **JR5-2-102** is repealed and reenacted to read:

112 **JR5-2-102. Reimbursement for transportation costs.**

113 (1) A legislator may receive reimbursement for any actual transportation costs incurred
114 by the legislator in association with the legislator's attendance on an authorized legislative day.

115 (2) Transportation costs reimbursed under this section shall be equal to:

116 (a) for travel by private vehicle, the actual mileage incurred by the legislator for the
117 legislator's private automobile use to and from the legislative meeting, to be paid in accordance
118 with the private vehicle mileage reimbursement rate that is applied when daily pool fleet
119 vehicles are unavailable, as published in the administrative rules governing reimbursement of
120 transportation expenses for state employees;

- 121 (b) for public transportation:
- 122 (i) the actual cost of the transportation incurred by the legislator to and from the
- 123 legislative meeting;
- 124 (ii) the private vehicle mileage actually incurred by the legislator to and from the
- 125 terminus of the public transportation; and
- 126 (iii) the cost of parking actually incurred by the legislator; or
- 127 (c) for commercial transportation:
- 128 (i) the actual cost of the transportation, which shall be limited to coach or standard
- 129 economy class, incurred by the legislator to and from the legislative meeting;
- 130 (ii) the private vehicle mileage actually incurred by the legislator to and from the
- 131 terminus of the commercial transportation; and
- 132 (iii) the cost of parking actually incurred by the legislator.

133 Section 5. **JR5-2-103** is enacted to read:

134 **JR5-2-103. Verification -- Procedures**

135 A legislator shall provide a receipt or other supporting documentation for each cost or

136 expense for which the legislator seeks reimbursement under this chapter.

137 Section 6. **JR5-2-104** is enacted to read:

138 **JR5-2-104. Declining reimbursement and reduced reimbursement.**

139 (1) A legislator may decline to request or receive reimbursement for any expense or

140 cost that is reimbursable under this chapter.

141 (2) A legislator may request and receive a partial or reduced reimbursement for any

142 expense or cost that is reimbursable under this chapter.

143 Section 7. **JR5-3-101** is repealed and reenacted to read:

144 **CHAPTER 3. LEGISLATOR COMPENSATION**

145 **JR5-3-101. Legislator compensation.**

146 A legislator shall receive daily compensation established in accordance with Utah Code

147 Sections 36-2-2 and 36-2-3 for authorized legislative days as defined in Section JR5-1-101.

148 Section 8. **Repealer.**

149 This resolution repeals:

150 **JR5-3-102, Lodging Expense Reimbursement for Authorized Legislative Meetings,**

151 **Special Sessions, and Veto Override Sessions.**

152 **JR5-3-103, Travel Expense Reimbursement for Authorized Legislative Meetings,**
153 **Special Sessions, and Veto Override Sessions.**
154 Section 9. **Effective date.**
155 This rules resolution takes effect on January 1, 2013.

Legislative Review Note
as of 3-8-12 3:51 PM

Office of Legislative Research and General Counsel