

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

3 2013 GENERAL SESSION

4 STATE OF UTAH

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

6 Senate Sponsor: Ralph Okerlund

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 resolution:

- 14 ▶ modifies definitions;
- 15 ▶ requires the Legislative Expenses Oversight Committee to ensure that procedures
16 are established for the purpose of making payments or 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 procedures and requirements for reimbursement for lodging expenses;
- 22 ▶ provides that a legislator may be reimbursed for actual meal expenses incurred by
23 the legislator on authorized legislative days;
- 24 ▶ limits meal expenses to the per diem meal rates for in-state travel set by state
25 administrative rule;
- 26 ▶ provides procedures and requirements for reimbursement for meal expenses;
- 27 ▶ provides that a legislator may be reimbursed for actual expenses incurred by the



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

42 **Special Clauses:**

43 This rules resolution provides an effective date.

44 **Legislative Rules Affected:**

45 AMENDS:

46 **JR5-1-101**

47 **JR5-1-102**

48 ENACTS:

49 **JR5-2-103**

50 **JR5-2-104**

51 **JR5-2-105**

52 REPEALS AND REENACTS:

53 **JR5-2-101**

54 **JR5-2-102**

55 **JR5-3-101**

56 REPEALS:

57 **JR5-3-102**

58 **JR5-3-103**

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

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

TITLE 5. LEGISLATIVE COMPENSATION AND EXPENSES

CHAPTER 1. GENERAL PROVISIONS

JR5-1-101. Definitions.

As used in this title:

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

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

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

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

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

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

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

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

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

(b) a special session day;

(c) a veto override session day;

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

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

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

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

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

90 (2) "Reimbursement" means money paid to compensate a legislator for money spent by
91 the legislator in furtherance of the legislator's official duties.

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

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

94 (1) The presiding officer and the majority leader and minority leader of each house are
95 the Legislative Expenses Oversight Committee for that house.

96 (2) Each committee shall:

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

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

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

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

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

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

107 **JR5-2-101. Reimbursement of lodging.**

108 (1) Subject to the other provisions of this section, if a legislator's official duties for an
109 authorized legislative day necessitate overnight accommodations, the legislator may receive
110 reimbursement for any actual lodging expenses incurred by the legislator, not to exceed the per
111 diem rates published in the administrative rules governing reimbursement of lodging expenses
112 for state employees.

113 (2) Reimbursement for actual lodging expenses for a legislator for an authorized
114 legislative day shall be as provided in procedures established by the Legislative Expenses
115 Oversight Committee.

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

117 **JR5-2-102. Reimbursement of meal expenses.**

118 (1) Subject to the other provisions of this section, a legislator may receive
119 reimbursement for any actual meal expenses incurred by the legislator in association with the
120 legislator's official duties for an authorized legislative day, not to exceed the rates and subject

121 to the time calculation requirements set in the administrative rules governing reimbursement of
122 meal expenses for state employees.

123 (2) Reimbursement for actual meal expenses for a legislator for an authorized
124 legislative day shall be as provided in procedures established by the Legislative Expenses
125 Oversight Committee.

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

127 **JR5-2-103. Reimbursement for transportation costs.**

128 (1) A legislator may receive reimbursement for any actual transportation costs incurred
129 by the legislator in association with the legislator's official duties for an authorized legislative
130 day.

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

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

137 (b) for public transportation:

138 (i) the actual cost of the transportation incurred by the legislator to and from the
139 legislative meeting;

140 (ii) the private vehicle mileage actually incurred by the legislator to and from the
141 terminus of the public transportation; and

142 (iii) the cost of parking actually incurred by the legislator; or

143 (c) for commercial transportation:

144 (i) the actual cost of the transportation, which shall be limited to coach or standard
145 economy class, incurred by the legislator to and from the legislative meeting;

146 (ii) the private vehicle mileage actually incurred by the legislator to and from the
147 terminus of the commercial transportation; and

148 (iii) the cost of parking actually incurred by the legislator.

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

150 **JR5-2-104. Verification -- Procedures.**

151 A legislator shall provide a receipt or other similar supporting documentation for each

152 cost or expense for which the legislator seeks reimbursement under this chapter.

153 Section 7. **JR5-2-105** is enacted to read:

154 **JR5-2-105. Declining reimbursement and reduced reimbursement.**

155 (1) A legislator may decline to request or to receive reimbursement for any expense or
156 cost that is reimbursable under this chapter.

157 (2) A legislator may request and receive a partial or reduced reimbursement for any
158 expense or cost that is reimbursable under this chapter.

159 Section 8. **JR5-3-101** is repealed and reenacted to read:

160 **CHAPTER 3. LEGISLATOR COMPENSATION**

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

162 A legislator shall receive daily compensation established in accordance with Utah Code
163 Sections 36-2-2 and 36-2-3 for authorized legislative days as defined in Section JR5-1-101.

164 Section 9. **Repealer.**

165 This resolution repeals:

166 **JR5-3-102, Lodging Expense Reimbursement for Authorized Legislative Meetings,**
167 **Special Sessions, and Veto Override Sessions.**

168 **JR5-3-103, Travel Expense Reimbursement for Authorized Legislative Meetings,**
169 **Special Sessions, and Veto Override Sessions.**

170 Section 10. **Effective date.**

171 This rules resolution takes effect on February 1, 2013, and applies to a reimbursement
172 or compensation payment made on or after February 2, 2013.

Legislative Review Note
as of 1-25-13 2:39 PM

Office of Legislative Research and General Counsel