

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

H.B. 71  
Feb 8, 2017  
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10028-MMz-2A (11/17)

Short Title: Legislator Subsistence/Travel Rates - PED. (Public)

Sponsors: Representatives Hurley, Dollar, R. Turner, and Lucas (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCREASE LEGISLATOR SUBSISTENCE AND TRAVEL ALLOWANCES TO MATCH THE 2017 FISCAL YEAR GENERAL SERVICES ADMINISTRATION MAXIMUM PER DIEM RATE, THE DEPARTMENT OF DEFENSE MAXIMUM PER DIEM RATE AS REVISED ON JUNE 30, 2016, AND THE 2016 INTERNAL REVENUE SERVICE BUSINESS STANDARD MILEAGE RATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Effective upon the convening of the 2019 General Assembly, G.S. 120-3.1 reads as rewritten:

**"§ 120-3.1. Subsistence and travel allowances for members of the General Assembly.**

(a) In addition to compensation for their services, members of the General Assembly shall be paid the following allowances:

- (1) A weekly travel allowance for each week or fraction thereof that the General Assembly is in regular or extra session. The amount of the weekly travel allowance shall be calculated for each member by multiplying the actual round-trip mileage from that member's home to the City of Raleigh by the rate per mile which is the business standard mileage rate set by the Internal Revenue Service in ~~Rev. Proc. 93-51, December 27, 1993~~; IR-2015-137, December 17, 2015.
- (2) A travel allowance at the rate which is the business standard mileage rate set by the Internal Revenue Service in ~~Rev. Proc. 93-51, December 27, 1993~~; IR-2015-137, December 17, 2015, whenever the member travels, whether in or out of session, as a representative of the General Assembly or of its committees or commissions, with the approval of the Legislative Services Commission.
- (3) A subsistence allowance for meals and lodging at a daily rate equal to the 2017 fiscal year maximum per diem rate for federal employees traveling to Raleigh, North Carolina, as set out at 58 Federal Register 67959 (December 22, 1993), noticed by the General Services Administration at 81 Federal Register 54805 (August 17, 2016), while the General Assembly is in session and, except as otherwise provided in this subdivision, while the General Assembly is not in session when, with the approval of the Speaker of the House of Representatives in the case of Representatives or the President Pro Tempore of the Senate in case of Senators, the member is:
  - a. Traveling as a representative of the General Assembly or of its committees or commissions, or



\* D R H 1 0 0 2 8 - M M Z - 2 A \*

1           b.       Otherwise in the service of the State.

2                   A member who is authorized to travel, whether in or out of session,  
3           within the United States outside North Carolina, may elect to receive, in lieu of  
4           the amount provided in the preceding paragraph, a subsistence allowance of  
5           ~~twenty six dollars (\$26.00)~~ fifty-one dollars (\$51.00) a day for meals, plus  
6           actual expenses for lodging when evidenced by a receipt satisfactory to the  
7           Legislative Services Officer, the latter not to exceed either the 2017 fiscal year  
8           maximum per diem rate for federal employees traveling to the same place, as  
9           set out at 58 Federal Register 67950-67964 (December 22, 1993) and at 59  
10           Federal Register 23702-23709 (May 6, 1994), noticed by the General Services  
11           Administration at 81 Federal Register 54805 (August 17, 2016) for locations  
12           within the contiguous United States or the maximum per diem rate as set out by  
13           the Department of Defense at 81 Federal Register 42673 (June 30, 2016) for  
14           locations within the United States but outside the contiguous United States.

15       (4)       A member may be reimbursed for registration fees as permitted by the  
16       Legislative Services Commission.

17       ...."

18       **SECTION 2.** Except as otherwise provided, this act is effective when it becomes law.