

ARIZONA STATE SENATE

RESEARCH STAFF



MIKE HANS
LEGISLATIVE RESEARCH ANALYST
GOVERNMENT COMMITTEE
Telephone: (602) 926-3171

TO: MEMBERS OF THE SENATE
APPROPRIATIONS COMMITTEE

DATE: March 30, 2021

SUBJECT: Strike everything amendment to H.B. 2053, relating to per diem; repeal (3/26/21 at 3:03 p.m.)

Purpose

An emergency measure that repeals the current statutorily prescribed daily subsistence payment rates and travel reimbursement requirements for legislators and allows either house of the Legislature to adopt a rule in the same manner as rules of procedure are adopted to establish reimbursement rates for mileage, lodging, meals and incidentals.

Background

In addition to an annual salary, each member of the Legislature must be reimbursed for travel and subsistence expenses incurred in attendance upon regular sessions or special sessions and for acting in a legislative manner upon prior approval of the presiding officer of either house of the Legislature ([A.R.S. § 41-1103](#)). Each legislator receives \$35 each day for subsistence during a regular or special session or for each day when a member acts on a legislative matter outside of session, on the prior approval of the presiding officer of the respective chamber. Each member whose permanent address is outside of Maricopa County receives an additional \$25 each day for subsistence. After the first 120 days of a regular session, the daily subsistence payment is reduced to \$10 per day for each legislator whose permanent residence is within Maricopa County and \$20 per day for each legislator whose permanent residence is outside of Maricopa County. Additionally, each legislator must be reimbursed for travel at the federal mileage reimbursement rate determined by the U.S. General Services Administration (U.S. GSA) To receive payment for travel expenses or subsistence, legislators must submit a claim countersigned by the presiding officer of the respective chamber ([A.R.S. § 41-1104](#)).

Each house of the Legislature must determine its own rules of procedure ([Ariz. Const. art. 4, pt. 2, § 8](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation. However, there may be an impact to the Arizona State Senate and House of Representatives if the reimbursement rates established by the Legislature are different than the statutorily outlined daily subsistence payment rates.

Provisions

1. Allows either house of the Legislature to adopt a rule in the same manner as legislative rules of procedure to establish reimbursement rates for per diem for legislators, including mileage, lodging, meals and incidentals.
2. Defines *per diem* to include mileage, lodging, meals and incidentals.

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3. Repeals the statutorily prescribed daily subsistence payment rates of \$35 and \$60 for legislators and the reduced daily subsistence payment rates of \$10 and \$20 for legislators that begins after the first 120 days of a regular session.
4. Repeals the requirement that legislators be reimbursed for travel at the federal mileage reimbursement rate as determined by the U.S. GSA.
5. Repeals the requirement that legislators receive travel and subsistence for authorized out-of-state travel in the same manner as state officers.
6. Repeals the requirement that legislators submit a claim countersigned by the presiding officer of the respective body for payment of travel expenses and subsistence.
7. Specifies that the maximum long-term subsistence allowance set by the Director of the Arizona Department of Administration for state employees does not apply to legislators.
8. Makes technical and conforming changes.
9. Becomes effective on signature of the Governor, if the emergency clause is enacted.