



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

AMENDED
FACT SHEET FOR H.B. 2053

superior court clerk; salary
(NOW: salary; superior court clerk)

Purpose

Replaces the current daily subsistence payment rates for legislators whose residence is outside of Maricopa County with a statutorily prescribed rate equal to 100 percent of the average of the six highest months of the annual federal per-diem rate for Maricopa County as determined by the U.S. General Services Administration (annual federal per-diem rate) including lodging during the first 120 days of a regular session and 50 percent of the federal per-diem rate for every day after the 120th day of a regular session.

Background

In addition to an annual salary, each member of the Legislature 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. 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](#)).

Under the Code of Federal Regulations, a *per diem allowance* or *subsistence allowance* is a daily payment instead of reimbursement for actual expenses for lodging, meals and related incidental expenses ([41 CFR § 300-3.1](#)). The U.S. General Services Administration (U.S. GSA) lodging rate for Maricopa County is \$151 per day from October 2020 to May 2021 and \$96 per day from June 2021 to August 2021. The current meals and incidentals rate for Maricopa County is \$56 per day ([U.S. GSA](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation. However, there will be an impact to the Arizona State Senate and House of Representatives as a result of the increase in the daily subsistence payment rates to legislators.

Provisions

1. Replaces the current daily subsistence payment rate of \$60 for legislators whose permanent residence is outside of Maricopa County during a regular or special session and each day when a member acts on a legislative matter with an amount annually determined by the Director of the Arizona Department of Administration (ADOA) as 100 percent of the average of the six highest months of the annual federal per-diem rate, including lodging.

2. Replaces the reduced daily subsistence payment amount of \$20 for each day after the first 120 days of a regular session for members of the Legislature whose permanent residence is outside of Maricopa County with a subsistence payment amount of 50 percent of the average of the six highest months of the annual federal per-diem rate.
3. Allows a member of the Legislature to opt out of receiving subsistence payments.
4. Specifies that the maximum long-term subsistence allowance set by the Director of ADOA for state employees does not apply to legislators.
5. Makes technical and conforming changes.
6. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Adopted the strike-everything amendment.
2. Reinserts the statutory per diem rate of \$35 dollars per day, rather than 100 percent of the annual federal per-diem rate for Maricopa County excluding lodging, for members of the Legislature whose permanent residence is within Maricopa County.
3. Requires members of the Legislature whose primary residence is outside of Maricopa County to receive 100 percent of the average of the six highest months of the annual federal per-diem rate for Maricopa County, rather than 100 percent of the annual federal per-diem rate for Maricopa County, during the first 120 days of a regular session.
4. Reinserts the reduced per-diem rate of \$10 for members of the Legislature whose primary residence is within Maricopa County for each day after the first 120 days of a regular session.
5. Requires members of the Legislature whose primary residence is outside of Maricopa County to receive a reduced per-diem rate of 50 percent of the average of the six highest months of the annual federal per-diem rate for Maricopa County for each day after the first 120 days of a regular session.
6. Removes the emergency clause.
7. Makes technical and conforming changes.

Senate Action

APPROP 3/31/21 DPA/SE 9-1-0

Prepared by Senate Research

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MH/gs