

Introduced by

1 A BILL for an Act to amend and reenact subsections 1 and 5 of section 54-06-09 of the North  
2 Dakota Century Code, relating to mileage and travel expense reimbursement for state officials  
3 and employees.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsections 1 and 5 of section 54-06-09 of the North  
6 Dakota Century Code are amended and reenacted as follows:

7 1. State officials, whether elective or appointive, and their deputies, assistants, and  
8 clerks, or other state employees, entitled by law to be reimbursed for mileage or  
9 travel expense, must be allowed and paid for mileage and travel expense the  
10 following amounts:

11 a. The sum of ~~thirty-one~~ thirty-seven and one-half cents per mile [1.61  
12 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in  
13 the performance of official duty when the travel is by motor vehicle or  
14 twenty-seven cents per mile [1.61 kilometers] if the travel is by truck, the use  
15 of which is required by the employing entity. The sum of seventy cents per  
16 mile [1.61 kilometers] for each mile [1.61 kilometers] actually and necessarily  
17 traveled in the performance of official duty when the travel is by private  
18 airplane. Mileage by private aircraft must be computed by actual air mileage  
19 when only one state employee or official is traveling; if two or more state  
20 employees or officials are traveling by private aircraft, the actual mileage must  
21 be based on the road mileage between the geographical points.  
22 Reimbursement for private airplane travel must be calculated as follows:

- 1                   (1) If reimbursement is for one properly authorized and reimbursable  
2                   passenger, reimbursement must be paid on a per mile basis as  
3                   provided in this subsection.
- 4                   (2) If reimbursement is claimed for a chartered private aircraft,  
5                   reimbursement may not exceed the cost of regular coach fare on a  
6                   commercial flight, if one is scheduled between the point of departure,  
7                   point of destination, and return, for each properly authorized and  
8                   reimbursable passenger on the charter flight; or, where there is no such  
9                   regularly scheduled commercial flight, the actual cost of the charter.
- 10                b. Except as provided in subdivision a, when travel is by rail or certificated air  
11                taxi commercial operator or other common carrier, including regularly  
12                scheduled flights by airlines, the amount actually and necessarily expended  
13                therefor in the performance of official duties.
- 14                5. Notwithstanding the other provisions of this section, state employees permanently  
15                located outside the state or on assignments outside the state for an indefinite  
16                period of time, exceeding at least thirty consecutive days, must be allowed and  
17                paid ~~thirty-one~~ thirty-seven and one-half cents per mile [1.61 kilometers] for each  
18                mile [1.61 kilometers] actually and necessarily traveled in the performance of  
19                official duty when such travel is by motor vehicle, and the three-hundred-mile  
20                [482.80-kilometer] restriction imposed by subsection 3 does not apply.