

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE DRH30424-LB-351 (1/31)**

Short Title: Legislative/State Employee Mileage. (Public)

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Sponsors: Representatives Holliman and Stam (Primary Sponsors).

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO PROVIDE LEGISLATORS WITH THE SAME MILEAGE RATES AS  
STATE EMPLOYEES AND TO ESTABLISH BOTH STATE EMPLOYEE AND  
LEGISLATIVE RATES AT THE FEDERAL EMPLOYEE RATE FOR TRAVEL.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 138-6(a)(1) reads as rewritten:

"(a) Travel on official business by the officers and employees of State departments, institutions and agencies which operate from funds deposited with the State Treasurer shall be reimbursed at the following rates:

(1) For transportation by privately owned automobile, the business standard mileage rate set by the Internal Revenue Service per mile of travel and the actual cost of tolls paid. An agency may require that an employee use a State-provided vehicle and, if one is available but declined, may pay a lower rate. Any other law which sets a mileage rate by referring to the rate set herein, instead establishes a rate of twenty five cents (25¢) per mile. No reimbursement shall be made for the use of a personal car in commuting from an employee's home to his duty station in connection with regularly scheduled work hours. Any designation of an employee's home as his duty station by a department head shall require prior approval by the Office of State Budget and Management on an annual basis.

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**SECTION 2.** G.S. 120-3.1(a)(1) and (2) read as rewritten:

"(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

1 weekly travel allowance shall be calculated for each member by  
2 multiplying the actual round-trip mileage from that member's home to  
3 the City of Raleigh by the rate per mile which is the business standard  
4 mileage rate set by the Internal Revenue Service in ~~Rev. Proc. 93-51,~~  
5 ~~December 27, 1993.~~ Rev. Proc. 2006-49, November 20, 2006.

- 6 (2) A travel allowance at the rate which is the business standard mileage  
7 rate set by the Internal Revenue Service in ~~Rev. Proc. 93-51,~~  
8 ~~December 27, 1993,~~ Rev. Proc. 2006-49, November 20, 2006,  
9 whenever the member travels, whether in or out of session, as a  
10 representative of the General Assembly or of its committees or  
11 commissions, with the approval of the Legislative Services  
12 Commission."

13 **SECTION 3.** Sections 1 and 3 of this act become effective July 1, 2007.  
14 Section 2 of this act becomes effective upon convening of the 2009 Regular Session of  
15 the General Assembly.