

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 1123\*

Short Title: Legislator Subsistence/Travel - IRS Rate. (Public)

Sponsors: Representatives Horn, Carney, Hurley, and Goodman (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

May 11, 2016

A BILL TO BE ENTITLED

AN ACT TO INCREASE LEGISLATOR SUBSISTENCE AND TRAVEL ALLOWANCES TO  
MATCH 2015 IRS RATES, 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 2017 General Assembly,  
G.S. 120-3.1(a) 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-205-137, 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-205-137, 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  
maximum per diem rate for federal employees traveling to Raleigh, North  
Carolina, as set out at ~~58 Federal Register 67959 (December 22, 1993),~~ 80  
Federal Register 52753, September 1, 2015, 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
- b. Otherwise in the service of the State.

A member who is authorized to travel, whether in or out of session,  
within the United States outside North Carolina, may elect to receive, in lieu of



1 the amount provided in the preceding paragraph, a subsistence allowance of  
2 ~~twenty-six dollars (\$26.00)~~ fifty-nine dollars (\$59.00) a day for meals, plus  
3 actual expenses for lodging when evidenced by a receipt satisfactory to the  
4 Legislative Services Officer, the latter not to exceed the maximum per diem  
5 rate for federal employees traveling to the same place, as set out at ~~58 Federal~~  
6 ~~Register 67950-67964 (December 22, 1993)~~ and at ~~59 Federal Register~~  
7 ~~23702-23709 (May 6, 1994)~~. 80 Federal Register 52753, September 1, 2015.

- 8 (4) A member may be reimbursed for registration fees as permitted by the  
9 Legislative Services Commission."

10 **SECTION 2.** There is appropriated from the General Fund to the General Assembly  
11 the sum of one million four hundred thousand dollars (\$1,400,000) for the 2016-2017 fiscal year  
12 to be used for legislator subsistence and travel allowances.

13 **SECTION 3.** Section 2 of this act becomes effective July 1, 2016. Except as  
14 otherwise provided, the remainder of this act is effective when it becomes law.