

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 1078
May 26, 2022
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40710-MC-207

Short Title: Modify Mileage and Per Diem. (Public)

Sponsors: Representative Logan.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO SET 2023 LEGISLATOR MILEAGE AND PER DIEM AT 2021 FEDERAL
3 RATES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Effective upon the convening of the 2023 General Assembly and
6 applicable to travel occurring on or after that date, G.S. 120-3.1(a) reads as rewritten:

7 "(a) In addition to compensation for their services, members of the General Assembly
8 shall be paid the following allowances:

9 (1) A weekly travel allowance for each week or fraction thereof that the General
10 Assembly is in regular or extra session. The amount of the weekly travel
11 allowance shall be calculated for each member by multiplying the actual
12 round-trip mileage from that member's home to the City of Raleigh by the rate
13 per mile which is the business standard mileage rate set by the Internal
14 Revenue Service in Rev. Proc. 93-51, December 27, 1993, IR-2020-279,
15 December 22, 2020.

16 (2) A travel allowance at the rate which is the business standard mileage rate set
17 by the Internal Revenue Service in Rev. Proc. 93-51, December 27, 1993,
18 IR-2020-279, December 22, 2020, whenever the member travels, whether in
19 or out of session, as a representative of the General Assembly or of its
20 committees or commissions, with the approval of the Legislative Services
21 Commission.

22 (3) A subsistence allowance for meals and lodging at a daily rate equal to the
23 maximum per diem rate for federal employees traveling to Raleigh, North
24 Carolina, as set out at 58 Federal Register 67959 (December 22, 1993), 86
25 Federal Register 45731 (August 16, 2021), while the General Assembly is in
26 session and, except as otherwise provided in this subdivision, while the
27 General Assembly is not in session when, with the approval of the Speaker of
28 the House of Representatives in the case of Representatives or the President
29 Pro Tempore of the Senate in case of Senators, the member is:

- 30 a. Traveling as a representative of the General Assembly or of its
31 committees or commissions, or
32 b. Otherwise in the service of the State.

33 A member who is authorized to travel, whether in or out of session,
34 within the United States outside North Carolina, may elect to receive, in lieu
35 of the amount provided in the preceding paragraph, a subsistence allowance
36 of twenty-six dollars (\$26.00) a day for meals, plus actual expenses for



1 lodging when evidenced by a receipt satisfactory to the Legislative Services
2 Officer, the latter not to exceed the maximum per diem rate for federal
3 employees traveling to the same place, as set out at ~~58 Federal Register~~
4 ~~67950-67964 (December 22, 1993)~~ and at ~~59 Federal Register 23702-23709~~
5 ~~(May 6, 1994)~~; 83 Federal Register 45731 (August 16, 2021).

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

8 **SECTION 2.** Except as otherwise provided, this act is effective when it becomes
9 law.