

BILL ANALYSIS

C.S.H.B. 605
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State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law concerning a state employee's mileage reimbursement does not account for employee safety in route planning by employees traveling on state business. In considering only the most cost-effective route, state employees are prohibited from seeking reimbursement if they deviate from such a route, even if safety is a concern. Many times, state employees are forced to travel at night on poorly lit roads, which increases the chance of a vehicle collision with wildlife. Other times, state employees may need to deviate their travel in order to avoid extreme weather or other hostile conditions.

C.S.H.B. 605 allows for the state to take into account reasonable safety measures when calculating a state employee's mileage reimbursement and allows alternate routes to be taken in order to account for safety concerns.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 605 amends the Government Code to include as a factor in the determination of reimbursable mileage for a state employee's use of a personally owned or leased motor vehicle consideration of not only whether a travel route is cost-effective but whether it is reasonably safe.

C.S.H.B. 605 authorizes a state agency, in determining the most cost-effective reasonably safe route, to consider the route that provides the shortest distance between the origin of the state employee's travel and the final duty point, the route that provides the quickest drive time between the origin of the state employee's travel and the final duty point, and the route that provides the safest road conditions between the origin of the state employee's travel and the final duty point. The bill removes language establishing that the shortest route between two points is presumed to be the most cost-effective route for purposes of such reimbursement and removes language providing criteria, based on the travel voucher and its justification statement, under which a longer route may be considered the most cost-effective route.

C.S.H.B. 605 provides that the number of miles traveled that are eligible for such reimbursement may be determined by an employee's vehicle odometer reading or by a readily available electronic mapping service.

C.S.H.B. 605 removes the requirement that the comptroller of public accounts periodically issue and update a mileage guide that includes a chart showing the number of miles for the shortest route between points.

C.S.H.B. 605 establishes that a member of the legislature may receive mileage reimbursement at the same rate as is provided in the General Appropriations Act for state employees only for the most cost-effective route between the origin of the member's travel and the final duty point for the member's use of a personally owned or leased motor vehicle or the use of a rented or public conveyance.

C.S.H.B. 605 makes its provisions applicable only to the determination of reimbursable mileage for state employee travel occurring on or after January 1, 2010.

C.S.H.B. 605 repeals Section 660.043(d), Government Code, to make a conforming change.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 605 authorizes a state agency, in determining the most cost-effective reasonably safe route, to consider the route that provides the shortest distance between the origin of the state employee's travel and the final duty point, the route that provides the quickest drive time between the origin of the state employee's travel and the final duty point, and the route that provides the safest road conditions between the origin of the state employee's travel and the final duty point, rather than establishing that a longer route may be considered the most cost-effective reasonably safe route if a voucher states that the longer route is more cost effective or appreciably safer, in addition to other requirements, as in the original. The substitute removes statutory language establishing a presumption that the shortest route between two points is the most cost-effective route for purposes of reimbursement and removes language providing criteria under which a longer route may be considered the most cost-effective route based on the travel voucher and its statement of justification, rather than amending such statutory language, as in the original.

C.S.H.B. 605 differs from the original by adding that the number of miles traveled that are eligible for such reimbursement may be determined by an employee's vehicle odometer reading or by a readily available electronic mapping service.

C.S.H.B. 605 removes the requirement that the comptroller of public accounts periodically issue and update a mileage guide that includes a chart showing the number of miles for the shortest route between points, and adds a conforming repealer, rather than requiring the comptroller, in issuing and updating the guide, to take into account safety considerations, such as the potential for wildlife vehicle collisions on rural roads, as in the original. The substitute removes a transition clause from the original relating to a deadline for the update of the mileage guide.

C.S.H.B. 605 differs from the original by adding that a member of the legislature may only receive mileage reimbursement at the same rate as is provided in the General Appropriations Act for state employees only for the most cost-effective route between the origin of the member's travel and the final duty point for the member's use of a personally owned or leased motor vehicle and the use of a rented or public conveyance.