Board of Registrar’s

Travel Guidelines

Introduction

Pursuant to Act 2018-203, there are new travel policies that were put into place effective July 1, 2018. This memo is provided to relay the changes to the Board of Registrar travel policies. These guidelines will help you understand the policies and requirements on what the State will reimburse your county for Board of Registrar travel. The County Commission is responsible for paying the Board of Registrars their travel expense for attending to the business of the board. These guidelines are in no way dictating that the county may or may not pay an amount beyond what is listed to a Board member for travel. However, they do express what the State will reimburse to the county.

Legal Guidance

The Comptroller’s Office is issuing these guidelines for the Board of Registrar travel and expenses for official travel of the Board. We hope these guidelines help you determine what should and should not be submitted to the State as reimbursement for these expenses. The attendance and travel forms have been updated. These forms are required to request reimbursement and are attached. The forms can be found on our website under “[County Information](http://comptroller.alabama.gov/online-forms/#county).” Below, you will find helpful information and what is required from your County Commission to submit a reimbursement claim to the State Comptroller’s Office.

* Code of Alabama, Title 41-4-50(4) mandates the State Comptroller *“[t]o preaudit and determine the correctness and legality of every claim and account submitted for the issuance of a warrant and to determine that funds have been appropriated and allotted and are then available in the State Treasury for the payment of such claim or account before any warrant on the State Treasury shall be issued….”*

Travel law is established in Code of Alabama, Title 36-7-20 through 36-7-25 and additional travel policies are written in the State Fiscal Policy and Procedures Manual, which can be found at [www.comptroller.alabama.gov](http://www.comptroller.alabama.gov). These laws and policies should be adhered to by the Boards of Registrars since they are a State Board and public funds are expended for their travel. The current mileage rate for Boards of Registrars is the State rate or the County rate, whichever is greater. The State mileage rate follows IRS guidelines and is updated on our web site when the Federal Government changes the rate. If the county rate is greater than the State rate, a letter from the County Commission will need to be attached to each travel claim or minutes from the Commission that established the larger mileage rate.

* Code of Alabama, Title 36-7-23, provides the applicability of the travel statutes.

*“The provisions of this article shall apply to all officers and employees of the State of Alabama or any of its departments, institutions, boards, bureaus, commissions, councils, committees or other like agencies and to all persons traveling on official business for the state.”*

Allowable Travel Expenses

The following sections describe each type of travel and what is allowable:

In State Travel

*Per Diem*

* The State per diem rate is set by the Governor and is applied uniformly to all persons traveling within the state on official business.
* The current allowance for overnight per diem is $85 or $100 per day, depending on the length of the trip.
	+ For travel requiring one overnight stay, the traveler will be paid $85 per day.
	+ For travel requiring stays of two or more nights, the traveler will be paid $100 per day.
* Overnight per diem is paid at the same rates stated above.
	+ BOR members within a reasonable distance of their home or base are expected to return to their home or base.
	+ If a Board member attends a meeting that is hosted at their official station or base, the Board member will not be paid an overnight travel allowance.
* Trips less than overnight.
	+ No travel allowance is paid for a trip of less than six hours duration.
	+ If a trip is from six to twelve hours a traveler may receive a meal allowance of 15% of the regular per diem rate ($12.75).
	+ If a trip is more than 12 hours, but not overnight, a traveler may receive a meal allowance and ¼ of the per diem allowance ($34).
	+ If meals are provided at a meeting, training, or conference then the meal allowance is not payable.

*Mileage*

* Persons traveling on official business in privately owned vehicles shall receive $.56 per mile in lieu of their actual expenses for transportation.
	+ Officers and employees of the state are entitled to mileage allowance from their base to destination and return, or for miles traveled from home to destination and return, whichever is less, reported in whole miles.

NOTE: The Board members base is defined as a city or town where they conduct their normal business. For Board of Registrar’s the base is the Official Seat of the County.

*Compensation*

* **Salary reimbursements for the attendance at these trainings is limited to the actual attendance of the meeting and should not be received for the travel day.**
	+ **Attorney General’s Opinion 88-00162 and 94-00106.**
* Board members may be paid compensation for the actual attendance of the meeting.
	+ Pursuant to Opinion 94-000180,
	+ Board member **will not** be paid compensation for the travel day to attend the meeting. Their attendance report for salary should reflect the new code to indicating a travel day.

*Required Documentation*

* Receipts will be required and should be itemized.
	+ Receipts are required for registration fees, parking, tolls, and other travel related expenses.
* An agenda must be attached to your travel claim.
* Reasonable parking fees are reimbursable with a receipt.
	+ Self-parking is required unless valet parking is the only available option at the hotel, or no more costly than self-parking, or is medically necessary.
	+ If self-parking is not utilized an explanation to justify the incurring of greater expense is required.

Legislative Committee Meeting

* All travel rules apply to this meeting the same as for in state travel (see In State Travel section above).
* Board members may be paid **mileage and per diem** for attending the Legislative Committee meeting.
	+ Pursuant to Attorney General Opinion 94-000180.
	+ These meetings must be “business of the board” as determined by a quorum of the Board for the member filing the travel claim. One example is if a committee member participated in legislative committee hearings related to voter registration.
* Board members may be paid **compensation** for the actual attendance of the meeting.
	+ Pursuant to Attorney General Opinion 94-000180.
	+ The Board member will not be paid compensation for the travel day to attend the meeting. Their attendance report for salary should reflect the new code to indicate a travel day.
* Board members will need a letter attached to their travel claim from the Association of the Boards of Registrars stating they are a member of this Legislative Committee.

Travel Qualifying for Actual Expense Reimbursement –In-State and Out-of-State

The guiding principle behind the policies and procedures governing travel is to travel responsibly. The word “responsibly” means that the traveler exercises the same care in incurring expenses for travel in service of the state that a prudent person would exercise if traveling at personal expense.

*Governor’s Approval Required*

* Code of Alabama, Section 36-7-21 allows for actual expenses for in state travel for *“…purposes of attending or assisting in hosting a convention, conference, seminar, or other meeting of a state or national organization of which the state or individual is a dues-paying member that is held within the state shall be allowed all of their actual and necessary expenses in addition to the actual expenses for transportation. In-state travel authorized under this section is subject to the same documentation requirements as out-of-state travel. Except as provided in subsections (b), (c), (d), and (e), the travel shall first be fully authorized in writing by the Governor.”*

*Rules for Actual Expense Reimbursement –In-State and Out-of-State*

Go to <https://oos.alabama.gov/> to find detailed instructions on completing the necessary forms and obtaining the Governor’s approval to claim actual expenses pursuant to Code of Alabama, Section 36-7-21. The rules stated above for In-state travel will apply as well as the following additional rules.

* General Rules
	+ Traveler is responsible for obtaining authorization from the Governor and any required documentation prior to traveling.
	+ Traveler should incur only those costs that are reasonable and necessary for carrying out service to the state.
	+ For In-State actual, a letter of certification that the Board member is a dues paying member of the state, regional, or national organization and this certification should be attached to the travel claim submitted to the Comptroller’s Office.
	+ Travel claim must be submitted with 60 days of the conclusion of the travel.
	+ In the event of duplicate or amounts reimbursed in error, those funds must be returned to the State of Alabama.
		- In the event those funds are not recovered, the Attorney General will be notified so that appropriate legal action may be instituted to recover public funds owed under these policies.
	+ An agenda must be attached to your travel claim.
	+ Receipts are required for all expenses except M&IE and must be itemized.
	+ Travelers will be allowed to participate in social events or activities if the cost of the social event or activity is included in the overall cost of the conference.
		- The State will not pay additional fees for a traveler to attend such events.
		- If the social event or activity requires additional time away from the home base that would not occur but for the social event or activity, there must be written justification attached to the travel claim; otherwise, the traveler should return to their home base at the conclusion of their State business.
	+ Reasonable parking fees are reimbursable with a receipt.
		- Self-parking is required unless valet parking is the only available option at the hotel, or no more costly than self-parking, or is medically necessary.
		- If self-parking is not utilized an explanation to justify the incurring or greater expense is required.
	+ Mileage expenses are reimbursed at $.56 per mile.
	+ Traveler should stay at the hotel that is hosting the conference or event for which travel occurred and obtain the government or conference lodging rate.
		- A traveler may choose a less-expensive hotel provided that the choice of hotel will not substantially increase transportation costs.
		- Incurring lodging costs that exceed the conference or government rate must be justified in writing.
	+ If the traveler takes personal time before or after the official travel event, the State will reimburse a traveler for costs incurred as if the personal time were not included.
* Meals and Incidental Expense Per Diem
	+ Meals and Incidentals are based upon the location (city) of destination in an amount that corresponds with the U.S. General Services Administration M&IE per diem rates for the continental United States (“CONUS”).
	+ These rates can be found at <https://www.gsa.gov/travel/plan-book/per-deim-rates>
	+ The M&IE per diem is a flat rate allowance intended to cover costs for meals and incidental expenses, including tips for non-transportation related activities. Receipts are not required for these items.
	+ A traveler will receive per diem, as outlined above, regardless of actual expenses.
	+ On the day of travel, the traveler will be entitled to per diem for M&IE at a rate of seventy-five percent (75%) the daily rate.
	+ All other days the full per diem for M&IE will be paid. M&IE will not be paid for personal days.

**Informational Note to County Commissions – IRS Regulations**

**IRS Guidelines on Per Diem and Expense Reimbursements, pursuant to Social Security requirements.**

**IR-2006-175, Nov. 9, 2006**

[**https://www.irs.gov/uac/irs-provides-guidance-on-per-diem-expense-reimbursements-paid-by-employers**](https://www.irs.gov/uac/irs-provides-guidance-on-per-diem-expense-reimbursements-paid-by-employers)

Informational Note: Business of the Board

Pursuant to Attorney General Opinion 2014-005, attendance at training and continuing education programs may be eligible for reimbursement.

The opinion states that *“[a]s long as the attendance to continuing education programs, conferences, or other similar functions is a necessary part of attending to the business of the board of registrars, it is the opinion of this Office that any fees incurred with regard to these programs and conferences are due to be reimbursed.”*

Code of Alabama, Title 17-3-7 states that *“[t]he action of a majority of the board of registrars shall be the action of the board, and a majority of the board shall constitute a quorum for the transaction of all business.”*

Reminders and Additional Information:

* The BOR member must use the travel claim form promulgated by the State Comptroller’s Office and it must be signed by the Board member (copy attached).
* In-State Actual and Out-of-State must include the forms on the OOS web-site at [oos.alabama.gov](https://oos.alabama.gov/). Print the form after receiving the Governor’s Approval and send to the Comptroller’s Office.
* The reimbursement form (copy attached) promulgated by the State Comptroller’s Office for the County Commission, signed by an authorized official of the County Commission with the travel claim attached along with supporting documentation from the Board member. Supporting documentation is described above.
* For the Legislative Committee meeting, board members will need a letter attached to their travel claim from the Association of Boards of Registrars stating they are a member of the Legislative Committee.
* An agenda must be attached to the travel claim from the training or conference that was attended. The agenda should show the time the meeting/training started and ended.
* Attach receipts, if applicable, per Alabama travel law and policies.
* Board members should indicate on their travel claim if they were a passenger and shared a ride with other members. Mileage cannot be paid unless the Board member took their personal car.