

Senate Bill 386

By: Senator Moore of the 53rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 28 of the Official Code of Georgia Annotated, relating to the General
2 Assembly, so as to prohibit the payment of daily expense allowances for days of session
3 where a call of the roll is not conducted; to require that members be present for the call of
4 the roll and for all votes during a day of session in order to receive daily expense allowances;
5 to remove an obsolete provision; to provide for construction; to provide for related matters;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is
10 amended in Code Section 28-1-8, relating to salary and allowances of members and officers,
11 by revising paragraph (1) of subsection (b) and subsections (f), (g), and (h) as follows:

12 "(b)(1) During regular and extraordinary sessions of the General Assembly, each member
13 shall also receive a daily expense allowance; provided, however, that, if a house of the
14 General Assembly suspends or otherwise does not conduct a call of the roll on a day of
15 session for the purpose of determining which members are present, no member of that
16 house of the General Assembly shall receive a daily expense allowance for that day of
17 session. Each member shall also receive the mileage allowance for the use of a personal

18 car when devoted to official business as provided for in Code Section 50-19-7, for not
19 more than one round trip to and from the member's residence and the state capitol by the
20 most practical route, per calendar week, or portion thereof, during each regular and
21 extraordinary session. In the event a member travels by public carrier for any part of a
22 round trip as provided above, such member shall receive a travel allowance of actual
23 transportation costs for each such part in lieu of the mileage allowance. For each day's
24 service within the state as a member of a standing committee or of an interim committee
25 created by or pursuant to a resolution of either or both houses or as a member of a
26 committee, board, bureau, commission, or other agency created by or pursuant to statute
27 or the Constitution of Georgia, such member shall receive a daily expense allowance and
28 the mileage allowance for the use of a personal car when devoted to official business as
29 provided for in Code Section 50-19-7 or a travel allowance of actual transportation costs
30 if traveling by public carrier. Any such member shall also be reimbursed for any
31 conference or meeting registration fee incurred in the performance of his or her official
32 duties as a member of any committee, board, bureau, commission, or other agency. In
33 the event it becomes necessary for a committee to rent a meeting room in the
34 performance of the duties of the committee, the committee chairperson must have prior
35 written approval of the President of the Senate or the Speaker of the House, or both, as
36 the case may be, depending on the composition of the committee. The expense of such
37 rental shall be billed to the committee. For each day's service out of state as a member
38 of any committee, board, bureau, commission, or other agency, such member shall
39 receive actual expenses as an expense allowance, plus the mileage allowance for the use
40 of a personal car when devoted to official business as provided for in Code
41 Section 50-19-7 or a travel allowance of actual transportation costs if traveling by public
42 carrier or by rental motor vehicle. The amount of the daily expense allowances provided
43 for in this paragraph shall be fixed by the Legislative Services Committee; provided,
44 however, that the amount of the daily expense allowance shall remain at \$75.00 until

45 changed by the Legislative Services Committee. The Legislative Services Committee
46 shall periodically review, and when appropriate revise, the amount of the daily expense
47 allowance. The amount of the daily expense allowance shall be fixed by the Legislative
48 Services Committee in an amount which reasonably corresponds to the housing and meal
49 expenses typically incurred by members in the performance of their duties; provided,
50 however, that the amount so fixed shall not exceed the federal per diem rate in effect for
51 the state capital as specified by the General Services Administration at the time that the
52 committee acts."

53 "(f) If sickness prevents any member from attending the house of which he or she is a
54 member during any session of the General Assembly, he or she shall be entitled to the same
55 daily expense allowance as an attending member. ~~No~~ Except as provided in subsection (g)
56 of this Code section, no member shall receive a daily expense allowance for absent time
57 except on account of sickness of himself or herself or his or her family ~~or by express leave~~
58 ~~of the house of which he or she is a member.~~ A member shall be deemed absent from a day
59 of session and shall not be entitled to receive a daily expense allowance for such day of
60 session if he or she is not present for the call of the roll and for all votes taken by the house
61 of which he or she is a member during such day of session.

62 (g) ~~Prior to January 10, 1983, if any member of the General Assembly dies during or after~~
63 ~~a regular or extraordinary session without having received all or any portion of his or her~~
64 ~~daily expense allowance for such session, the amount due for the whole session shall be~~
65 ~~paid to the surviving spouse of the deceased; and if there is no surviving spouse, in like~~
66 ~~manner to the children; and if there are no children, in like manner to the mother; and if~~
67 ~~there is no mother, in like manner to the father; and if there is no father, in like manner to~~
68 ~~the estate of the deceased member.~~

69 (h) ~~From and after January 10, 1983, if~~ If any member of the General Assembly dies
70 during or after a regular or extraordinary session without having received all or any portion
71 of the member's daily expense allowance for such session, the amount due for the whole

72 session, without regard to whether a call of the roll was taken on any particular day of such
73 session, shall be paid to the surviving spouse of the deceased; and if there is no surviving
74 spouse, in like manner to the children; and if there are no children, in like manner to the
75 estate of the deceased member. The member's salary for the full calendar month during
76 which the member dies shall be paid in the same manner."

77

SECTION 2.

78 All laws and parts of laws in conflict with this Act are repealed.