

## CHAPTER 308

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**GENERAL ASSEMBLY**


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**SENATE BILL 07-139**

BY SENATOR(S) Taylor, May R., and Tochtrop;  
also REPRESENTATIVE(S) Curry, Buescher, Cerbo, Gallegos, Kerr J., Labuda, Marshall, May M., Rose, and Todd.

**AN ACT****CONCERNING THE PER DIEM EXPENSE ALLOWANCE FOR MEMBERS OF THE GENERAL ASSEMBLY.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 2-2-317 (1) (b) and (1) (c), Colorado Revised Statutes, are amended to read:

**2-2-317. Expense, subsistence, and travel allowance.** (1) (b) In lieu of the expenses allowed in paragraph (a) of this subsection (1), if a member does not reside in the Denver metropolitan area, which area consists of the counties of Adams, Arapahoe, Boulder, Clear Creek, Douglas, Gilpin, and Jefferson and the city and county of Broomfield and the city and county of Denver, the member shall be entitled to receive up to ~~ninety-nine dollars~~ AN AMOUNT EQUAL TO EIGHTY-FIVE PERCENT OF THE FEDERAL PER DIEM RATE FOR THE CITY AND COUNTY OF DENVER, ROUNDED UP TO THE NEAREST WHOLE DOLLAR, AS DETERMINED ANNUALLY BY THE UNITED STATES GENERAL SERVICES ADMINISTRATION, OR SUCH SUCCEEDING ENTITY, AND USED FOR PURPOSES OF THE FEDERAL INCOME TAX DEDUCTION AS SPECIFIED IN 26 U.S.C. SEC. 162 (h) (1) (B) (ii) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, per legislative day for expenses incurred during the sessions of the general assembly.

(c) The per diem lodging and expense allowances of the general assembly as fixed by this subsection (1) shall apply to regular or special sessions of the general assembly subsequent to ~~July 1, 1989~~ JULY 1, 2007.

**SECTION 2.** 2-2-307 (3) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**2-2-307. Compensation of members - reimbursement of expenses.**

(3) (a) When the general assembly is in recess for more than three days or is not in session, in addition to the base compensation specified in subsection (1) of this section, the following members of the general assembly shall be entitled to the further sum of ninety-nine dollars per day for necessary attendance at meetings or functions or to legislative matters as follows:

(V) WITH THE PRIOR APPROVAL OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL, ANY MEMBER OF A COMMITTEE OF REFERENCE WHO ATTENDS A MEETING OF THE COMMITTEE OF REFERENCE WHEN IT IS CONSIDERING MATTERS FOR WHICH THE COMMITTEE OF REFERENCE HAS OVERSIGHT RESPONSIBILITY.

**SECTION 3.** 2-2-307 (4) (b), Colorado Revised Statutes, is amended to read:

**2-2-307. Compensation of members - reimbursement of expenses.**

(4) (b) The director of research of the legislative council shall approve payroll vouchers and vouchers for per diem payments incurred in connection with attendance by members of both houses at meetings of the statutory committees listed under article 3 of this title, a committee of any such agency, ~~or~~ any interim committee authorized by law, by joint resolution, or by resolution of either house, OR ANY COMMITTEE OF REFERENCE DESCRIBED IN SUBPARAGRAPH (V) OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION.

**SECTION 4.** 2-2-307 (5), Colorado Revised Statutes, is amended to read:

**2-2-307. Compensation of members - reimbursement of expenses.**

(5) (a) Members of the general assembly shall be entitled to reimbursement for all actual and necessary travel expenses incurred for vehicle travel while attending to legislative business, which expenses are not otherwise paid or reimbursed under any other provision of this part 3. Mileage rates shall not exceed those authorized for the executive department.

(b) WITH THE APPROVAL OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL, MEMBERS OF THE GENERAL ASSEMBLY SHALL BE ENTITLED TO REIMBURSEMENT FOR ALL ACTUAL AND NECESSARY EXPENSES INCURRED DUE TO EXTRAORDINARY OR UNFORESEEN CIRCUMSTANCES RELATED TO THE LEGISLATIVE BUSINESS OF THE MEMBER.

**SECTION 5. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the provisions of this act.

**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 25, 2007