

**FINANCE AND ADMINISTRATION CABINET**  
**Office of the Secretary**  
**(Amendment)**

**200 KAR 2:006. Employees' reimbursement for travel.**

RELATES TO: KRS 44.060, 45.101

STATUTORY AUTHORITY: KRS 44.060, 45.101

NECESSITY, FUNCTION, AND CONFORMITY: KRS 45.101 authorizes the Finance and Administration Cabinet to promulgate an administrative regulation that establishes requirements and reimbursement rates for the travel expenses of state employees. KRS 44.060 requires the secretary to promulgate administrative regulations fixing the amount allowed for the expense of traveling in a motor vehicle in the discharge of official state duties. This administrative regulation establishes the eligibility requirements relating to rates and forms for reimbursement of travel expense and other official expenses out of the State Treasury.

Section 1. Definitions. (1) "Agency" means a budget unit.

(2) "Agency head" means the elected or appointed head of a budget unit.

(3) "Approval" means approval granted in either written or electronic format.

(4) "Budget unit" is defined by KRS 48.010(9).

(5) "Cabinet" means the Finance and Administration Cabinet.

(6) "High rate area" means a city, state, or metropolitan area in which it has been recognized that higher meal costs and lodging rates have historically prevailed, and that has been designated by the Secretary of the Finance and Administration Cabinet as a high rate area listed on the Office of the Controller's Web site at <http://finance.ky.gov/services/statewideacct/Pages/travel.aspx>.

(7) "Incidental expense" means unexpected minor expenses arising from travel situations, or minor expenses authorized by an agency head to be reimbursed to an employee as a matter of efficiency or convenience.

(8) "Lodging receipt" means any preprinted invoice, from a hotel or motel or type of lodging, showing the date of service, the amount charged for the service, the location where the service was performed, and a description of the expenditure.

(9) "Office" means the Office of the Controller, Finance and Administration Cabinet.

(10) "Others in the official service of the commonwealth" means individuals who:

(a) Are not state employees as defined in KRS Chapter 18A;

(b)1. Are traveling on official business for the commonwealth; or

2. Officially represent a state agency, at the direction or request of a state official authorized to give the direction or make the request; and

(c) Are not contractors who are entitled to reimbursement for travel and related expenses only as provided in their contracts with the commonwealth.

(11) "Receipt" means any preprinted invoice, from a hotel, motel, restaurant, or other establishment, showing the date of service, the amount charged for the service, the location where the service was performed, and a description of the expenditure.

(12) "Residence" means address of the employee designated in the official records of the Personnel Cabinet.

(13) "Secretary" means the Secretary of the Finance and Administration Cabinet.

(14) "Subsistence" means amounts expended by a state officer, agent, employee, or other person authorized to receive reimbursement out of the State Treasury for meals, such as tax

and tips, while traveling on official state business, except for any meals which may be included in charges for lodging or in registration fees paid by or on behalf of a state officer or employee.

(15) "Travel software" means the software used by the commonwealth to process travel authorizations and travel reimbursement documents.

(16) "Work station" means an employee's duty station and shall include:

(a) The official work station assigned by the appointing authority; and

(b) One (1) or more alternate work stations optionally assigned by the appointing authority.

Section 2. General. (1) Affected agencies. Except as otherwise provided by law, this administrative regulation shall apply to all departments, agencies, boards, and commissions, and institutions of the executive branch of state government, except state-supported universities. It shall not apply to the legislative and judicial branches and their employees.

(2) Enforcement.

(a) Each agency head shall be responsible for ensuring that travel reimbursement conforms to the provisions of this administrative regulation and that all travel expense from that agency is as economical as is feasible.

(b) A person who travels on official state business shall:

1. Identify if reimbursement is being requested based on Section 7 or 8 of this administrative regulation;

2. Prior to trip, submit, if applicable, a:

a. Request for Authorization of Out-of-State Travel document; or

b. Request for Authorization of Out-of-Country Travel document;

3. After travel, submit a Travel Voucher document for reimbursement of official state business related expenses;

4. If expenses requested to be paid or reimbursed under the provisions of this administrative regulation are attributable to multiple funding sources or projects, attach a Travel Voucher Prepaid Registration Fees: Multiple Cost Distribution document to any Travel Voucher submitted;

5. Maintain records and receipts to support the claim; and

6. Take sufficient personal funds to defray the travel expense.

(c) The secretary or designee may:

1. Disallow or reduce the amount of a claim that violates the provisions of this administrative regulation; or

2. Require written justification for amounts claimed by an agency for its employee.

(d) The secretary or his designee may authorize reimbursement for an employee's actual and necessary expenses for authorized travel if the head of the agency, or designee, submits a written determination that establishes the reimbursement is:

1. Required to avoid an undue economic hardship on the employee; or

2. Economically advantageous for the commonwealth.

(3) Eligibility. Except as provided by state law or by this administrative regulation, reimbursement shall not be claimed for expenses of any person other than state officers, members of boards and commissions, employees, bona fide wards, or other persons in the official service of the commonwealth. Only necessary expenses of official travel authorized by an agency head or designee shall be reimbursed.

(4) Interpretation. All final interpretations of this administrative regulation shall be made by the secretary. These determinations shall be the final and conclusive interpretation adopted by the agency.

Section 3. Work Station. (1) The official work station or alternate work station of an employee shall be established by the employee's appointing authority [~~assigned to an office shall be the street address where the office is located~~].

(2) The official work station or alternate work station may be changed by the appointing authority to better meet the needs of the agency [~~of field employees shall be established by the agency head, based solely on the best interests of the commonwealth~~].

~~(3) If an employee is permanently reassigned or is stationed at a new location two (2) months, the new location shall become that employee's official work station~~].

Section 4. Authorizations. (1) For travel within Kentucky, the person requesting reimbursement shall obtain authorization from the agency head or a designated representative.

(2) Travel to a bordering state that does not require airfare or an overnight stay shall be authorized in the same manner as travel in Kentucky.

(3) For travel outside of Kentucky, but within the United States, possessions of the United States, or Canada, the person requesting reimbursement shall obtain authorization from:

(a) The agency head or a designated representative; and

(b) The secretary or a designated representative.

(4) For travel outside the United States, possessions of the United States, or Canada, the person requesting reimbursement shall have obtained authorization from:

(a) The agency head or a designated representative;

(b) The secretary or a designated representative; and

(c) The governor or a designated representative.

(5) Travel expenses shall be reimbursed if travel was authorized in advance as provided by subsections (6), (7), or (8) of this section.

(6) For travel inside Kentucky, authorization shall be requested in the manner prescribed by the agency head or a designated representative.

(7) For travel outside Kentucky, but within the United States, possessions of the United States, or Canada, authorizations shall be requested by submitting a Request for Authorization of Out-of-State Travel document.

(8) For travel outside the United States, possessions of the United States, or Canada, authorization shall be requested by submitting a Request for Authorization of Out-of-Country Travel document.

(9) If direct billing is to be utilized for state park expenses, a State Park Travel Authorization document shall be submitted.

(10) A travel request for travel specified in subsections (7), (8), or (9) of this section shall be received by the agency or cabinet at least five (5) working days before the start of travel, except if a shorter prior submission period is necessitated by an emergency.

Section 5. Transportation. (1) Economy shall be required.

(a) State officers, agents, employees, and others in the official service of the commonwealth shall use the most economical, standard transportation available and the most direct and usually-traveled routes. Expenses added by use of other transportation or routes shall be assumed by the individual.

(b) 1. Round-trip, excursion, or other negotiated reduced-rate rail or plane fares shall be obtained if practical.

2.a. Tickets prepaid by the commonwealth shall be purchased through agency business travel accounts provided by a major charge card company or commercial travel agencies.

b. Tickets purchased through the Internet shall be paid by the traveler and reimbursed on a Travel Voucher, Other Expenses document.

3. Exceptions may be made with the approval of the agency head if other arrangements will be in the best interest of the commonwealth.

4. Agencies shall be billed monthly by the charge card company.

5. Related payments shall be processed via a Travel Voucher, Other Expenses document.

(2) State vehicles. State-owned vehicles with their credit cards shall be used for state business travel if available and feasible. Mileage payment shall not be claimed if state-owned vehicles are used.

(3) Privately-owned vehicles. Mileage claims for use of privately-owned vehicles shall be allowed if a state vehicle was not available or feasible.

(4) Buses, subways. For city travel, employees shall be encouraged to use buses and subways. Taxi fare shall be allowed if more economical transportation is not feasible.

(5) Airline travel. Commercial airline travel shall be the lowest negotiated coach or tourist class. Additional expense for first-class travel shall not be reimbursed by the state. Payment shall be made in accordance with subsection (1)(b) of this section.

(6) Special transportation.

(a) The cost of hiring cars or other special conveyances in lieu of ordinary transportation shall be allowed if written justification from the employee is submitted and approved by the agency head or his designated representative.

(b) Privately-owned aircraft may be used if it is determined to be to the advantage of the state, measured both by travel costs and travel time.

(c) An employee may submit a written request for approval from the state controller for an increased reimbursement rate greater than that calculated in Section 7, if the employee drives a personal vehicle modified to:

1. Facilitate operation by altering controls for the brakes, accelerator, or steering wheel; or
2. Allow a driver to enter the vehicle by installing a wheelchair lift, hoist, or ramp.

Section 6. Accommodations. (1) Lodging shall be the most economical, as determined by considering location of the lodging.

(2) Facilities providing special government rates or commercial rates shall be used if feasible.

(3) State-owned facilities shall be used for meetings and lodging if available, practicable, and economical.

(4) Location. Cost for lodging within forty (40) miles of the claimant's official work station, alternate work station, or home shall be reimbursed if:

(a) In attendance at a conference; and

(b) The lodging is a necessary expense of official travel, in accordance with Section 2(2)(d) of this administrative regulation.

(5) Group lodging, by contract.

(a) State agencies and institutions may contract with hotels, motels, and other establishments for four (4) or more employees to use a room or rooms on official business. Group rates shall be requested.

(b) The contract may also apply to meals and gratuities. The contract rates and the costs of rooms and meals per person shall not exceed limits set in Section 7 of this administrative regulation.

(c) The traveler shall not claim reimbursement or subsistence for room and meals paid direct to an establishment providing these services.

(d) A request for payment shall be made on a Travel Voucher document and shall not include personal charges of employees or others in the official service of the commonwealth.

(e) Payment shall be made to the hotel, motel, or other establishment.

(f) Contracted group meeting rooms and lodging and meal charges shall be exempt from Kentucky sales tax and the agency sales-use tax number assigned by the Department of Revenue shall be specified on the payment document.

(g) Tax exempt numbers shall not be used by individual employees to avoid point of sale payment of Kentucky sales tax connected with lodging costs. Sales tax payments shall be reimbursed on a Travel Voucher document.

(6) State parks. A state agency or institution using state park facilities may pay for rooms and meals by an Internal Exchange Transaction (IET) process in the eMars program to transfer funds, within the limits of this administrative regulation.

Section 7. Reimbursement Rates. (1) The following persons shall be exempted from the provisions of this section:

(a) Governor;

(b) Governor's staff;

(c) Lieutenant governor;

(d) State employees traveling on assignment with the governor, lieutenant governor, elected constitutional officers, or cabinet secretaries;

(e) Elected constitutional officers;

(f) Cabinet secretaries;

(g) State officers and employees authorized to travel outside the United States;

(h) Members of statutory boards and commissions; and

(i) Others in the official service of the commonwealth.

(2) Lodging.

(a) Except as provided in paragraph (b) of this subsection, a state officer or employee shall be reimbursed for the actual cost of lodging if the:

1. Lodging is determined to be the most economical; and

2. State officer or employee has provided the hotel, motel, or other establishment's receipt to be reimbursed for the travel expenses.

(b) Reimbursement for lodging shall not exceed the cost of a single room rate, except that if employees share lodging, each employee shall be reimbursed the lesser of single rate or one-half (1/2) the double rate.

(3) Subsistence and incidentals.

(a) Breakfast and lunch. A state officer or employee shall be eligible for reimbursement for subsistence for breakfast and lunch expenses while traveling in Kentucky, if authorized work requires an overnight stay and absence during the mealtime hours established by paragraph (e) of this subsection. An employee shall be in travel status during the entire mealtime. For example, to be eligible for breakfast reimbursement, an employee shall leave at or before 6:30 a.m. and return at or after 9 a.m. This requirement shall apply to all meals.

(b) Dinner expenses. A state officer or employee shall be eligible for reimbursement for dinner expenses while traveling in Kentucky, if authorized work requires an absence:

1. At a destination more than forty (40) miles from the individual's official work station, alternate work station, and home; and

2. During the mealtime hours established by paragraph (e) of this subsection.

(c) A state officer or employee shall be eligible for reimbursement for meals while on authorized travel outside Kentucky, but within the United States, its possessions, or Canada, at the reimbursement rates established in paragraph (d) of this subsection.

(d) The secretary shall specify the meal reimbursement rates via secretary order as appropriate in the following manner:

1. The order shall be posted on the Web site of the Office of the Controller;

2. The order shall specify the reimbursement rate for high rate areas and non-high rate areas; and

3. The order shall designate reimbursement rates for breakfast, lunch, and dinner.

(e) To be eligible for meal reimbursement, an employee shall be in travel status for the entire duration of the following time periods:

1. Breakfast: authorized travel is 6:30 a.m. through 9 a.m.;

2. Lunch: authorized travel is 11 a.m. through 2 p.m.; or

3. Dinner: authorized travel is 5 p.m. through 9 p.m.

(f) A state officer or employee authorized to travel outside the United States, its possessions, or Canada shall be reimbursed for their actual and necessary expenses for subsistence.

(g) A state officer or an employee may, with prior approval of the agency head or designee, be reimbursed for the actual cost charged for meals, if the individual is assigned to attend meetings and training sessions.

(h) Gratuities may be reimbursed if:

1. The total payment of the meal and gratuity do not exceed the limits established in paragraph (d) of this subsection; and

2. The gratuity does not exceed twenty (20) percent of the cost of the meal.

(i) Lodging receipts, or other credible evidence, shall be attached to the Travel Voucher.

(4) Transportation expenses.

(a) Reimbursement for authorized use of a privately-owned vehicle shall be:

1. At a rate designated on the Office of the Controller's Web site;

2. Set and adjusted based on the American Automobile Association (AAA) Daily Fuel Gauge Report for Kentucky for regular grade gasoline. The rate shall be adjusted on January 1, April 1, July 1, and October 1 each calendar year based on the average retail price of regular grade gasoline for the week beginning on the second Sunday of the prior month as follows:

a. If the fuel cost is between one (1) cent and one dollar forty-nine and nine-tenths cents (\$1.499), the employee shall be reimbursed thirty-six (36) cents per mile;

b. If the fuel cost is between one dollar fifty cents (\$1.50) and one dollar sixty-nine and nine-tenths cents (\$1.699), the employee shall be reimbursed thirty-seven (37) cents per mile;

c. If the fuel cost is between one dollar seventy cents (\$1.70) and one dollar eighty-nine and nine-tenths cents (\$1.899), the employee shall be reimbursed thirty-eight (38) cents per mile;

d. If the fuel cost is between one dollar ninety cents (\$1.90) and two dollars nine and nine-tenths cents (\$2.099), the employee shall be reimbursed thirty-nine (39) cents per mile;

e. If the fuel cost is between two dollars ten cents (\$2.10) and two dollars twenty-nine and nine-tenths cents (\$2.299), the employee shall be reimbursed forty (40) cents per mile; or

f. If the fuel cost is greater than two dollars twenty-nine and nine-tenths cents (\$2.299), the amount the employee is reimbursed shall increase one (1) cent for every twenty (20) cent increase in the rate; and

3. Not exceed the cost of commercial coach round-trip airfare.

(b) Mileage for in-state travel shall be based on the Kentucky Official Highway Map, MapQuest Web site, Google Maps Web site, or similar web mapping service. Out-of-state mileage shall be based on the most recent edition of the Rand McNally Road Atlas, MapQuest Web site, Google Maps Web site, or similar web mapping service.

(c) Reimbursement for the actual cost of commercial transportation shall be made upon submission of receipts with the Travel Voucher.

(d) Reimbursement for use of privately-owned aircraft shall be made if, prior to use, written justification was submitted to and approved by the agency head, or a designated representative.

(e)1. Actual parking, bridge, and highway toll charges shall be reimbursed.

2. A toll receipt for authorized in-state travel by two (2) axle vehicles shall not be required.
- (f) Reimbursement shall be made for reasonable incidental expenses for:
  1. Baggage handling;
  2. Delivery of baggage to or from a common carrier, lodging, or storage; and
  3. Overweight baggage charges, if the charges relate to official business.
- (5)(a) Registration fees required for admittance to meetings shall be reimbursed.
- (b) If a registration fee entitles the registrant to meals, claims for those meals shall be reduced accordingly.
- (6) Telephone costs for necessary official business shall be reimbursed.
- (7) Other incidental expenses may be allowed by the agency head or designee if they are determined to be necessary expenses of official travel.

Section 8. Actual and Necessary Expenses. (1) The following persons shall be eligible for actual and necessary expenses:

- (a) Governor;
- (b) Governor's staff;
- (c) Lieutenant governor;
- (d) Elected constitutional officers;
- (e) Cabinet secretaries;
- (f) State employees traveling on assignment with the governor, lieutenant governor, elected constitutional officers, or cabinet secretaries;
- (g) State officers and employees authorized to travel outside the United States, its possessions, or Canada;
- (h) Members of statutory boards and commissions; and
- (i) Others in the official service of the commonwealth.

(2)(a) Actual and necessary expenses of official business travel shall be reimbursed upon submission of receipts for items over ten (10) dollars. The secretary may reduce the amount of any actual expense to be reimbursed if the secretary determines that the expense is unreasonably excessive.

(b) Actual and necessary expenses for official business travel shall include:

1. Lodging;
2. Meals;
3. Commercial transportation;
4. Taxes related to actual and necessary expenses; and
5. Reasonable gratuities.

(c) A credit card receipt shall be accepted for a meal if the receipt prepared by the establishment clearly shows that it is a receipt for a meal.

(d) Reimbursement for official use of a privately-owned vehicle shall be:

1. At the rate designated on the Office of the Controller's Web site listed in Section 1(6) of this administrative regulation;

2. Adjusted based on the American Automobile Association (AAA) Daily Fuel Gauge Report for Kentucky for regular grade gasoline. The rate shall be adjusted on January 1, April 1, July 1, and October 1 each calendar year based on the average retail price of regular grade gasoline for the week beginning on the second Sunday of the prior month as follows:

a. If the fuel cost is between one (1) cent and one dollar forty-nine and nine-tenths cents (\$1.499), the employee shall be reimbursed thirty-six (36) cents per mile;

b. If the fuel cost is between one dollar fifty cents (\$1.50) and one dollar sixty-nine and nine-tenths cents (\$1.699), the employee shall be reimbursed thirty-seven (37) cents per mile;

- c. If the fuel cost is between one dollar seventy cents (\$1.70) and one dollar eighty-nine and nine-tenths cents (\$1.899), the employee shall be reimbursed thirty-eight (38) cents per mile;
- d. If the fuel cost is between one dollar ninety cents (\$1.90) and two dollars nine and nine-tenths cents (\$2.099), the employee shall be reimbursed thirty-nine (39) cents per mile;
- e. If the fuel cost is between two dollars ten cents (\$2.10) and two dollars twenty-nine and nine-tenths cents (\$2.299), the employee shall be reimbursed forty (40) cents per mile; or
- f. If the fuel cost is greater than two dollars twenty-nine and nine-tenths cents (\$2.299), the amount the employee is reimbursed shall increase one (1) cent for every twenty (20) cent increase in the rate; and

3. Not exceed the cost of commercial coach round-trip airfare.

(e)1. The governor and cabinet secretaries may be reimbursed for actual and necessary costs of entertaining official business guests, upon certification of these expenses to the secretary or designee.

2. The secretary or the secretary's designee may:

- a. Question a claim for reimbursement; and
- b. Reduce the amount to be reimbursed, if the secretary determines that it is unreasonably excessive.

(f) An employee of the Cabinet for Economic Development or the Tourism, Arts and Heritage Cabinet shall be reimbursed for actual and necessary costs of entertaining official business guests of the commonwealth if the costs were:

- 1. Related to the promotion of industry, travel, or economic development;
- 2. Substantiated by receipts; and
- 3. Certified by the head of the cabinet.

Section 9. Mileage. (1) Mileage commuting between residence, ~~and~~ official work station, or alternate work station(s) shall not be paid. If an employee's residence is the employee's official or alternate work station, the employee's work station shall also include the location where the employee obtains a state vehicle or supplies for use during the workday.

(2)(a) If an employee's point of origin for travel is the employee's residence, mileage shall be paid for the shorter of mileage between:

- 1. Residence and travel destination; or
- 2. Official work station or alternate work station and travel destination.

(b) If an employee's point of origin for travel is the employee's official work station or an alternate work station, and after proceeding to a travel destination, the employee's final destination is the employee's residence, mileage shall be paid for the shorter of mileage between:

- 1. Residence and travel destination; or
- 2. Official work station or alternate work station and travel destination.

(3) Vicinity travel, and authorized travel within a claimant's official work station or alternate work station shall be listed on separate lines on the Travel Voucher document.

Section 10. Travel Documents. (1) A person shall use the following forms to request prior authorization or reimbursement for travel:

- (a) For in-state travel, any forms required by the person's agency head or designee;
- (b) For out-of-state travel, a Request for Authorization of Out-of-State Travel document; and
- (c) For out-of-country travel, a Request for Authorization of Out-of-Country Travel document.

(2) If applicable, a traveler shall attach the following to a Travel Voucher document:

- (a) If a state park facility will be used, a State Park Travel Authorization document.
- (b) If a rental vehicle, registration fee, or similar expense requires advance payment: a Pre-paid Registration document;



(c) If reimbursement relates to out-of-state or out-of-country travel: the appropriate completed authorization form required by subsection (1) of this section; and

(d) For any expense that cannot be listed on a Travel Voucher document: a Travel Voucher, Other Expenses document.

(3) A contract for group accommodations shall be made on the standard form used by the establishment providing the services.

(4) Authorization for reimbursement of others in the official service of the commonwealth shall be requested on a Travel Voucher document.

(5) The Travel Voucher document shall be limited to the expenses made by one (1) person for the:

(a) Traveler; and

(b) If applicable, another person:

1. Who is a ward of the commonwealth; or

2. For whom the traveler is officially responsible.

(6) A Travel Voucher document for expenses made for a person specified in subsection (5)(b) of this section shall include the person's:

(a) Name; and

(b) Status or official relationship to the claimant's agency.

(7)(a) A Travel Voucher document shall be submitted:

1. For one (1) major trip; or

2. Every two (2) weeks for employees that are in travel status for an extended period.

(b) A Travel Voucher document shall include:

1. Employee ID Number (KHRIS) of the claimant; and

2. Purpose of each trip.

(c) A Travel Voucher document shall be signed and dated, or entered electronically, and approved by the:

1. Claimant; and

2. Agency head or authorized representative.

(d) If monthly expenses total less than ten (10) dollars, a Travel Voucher may include expenses for six (6) months of a fiscal year.

(e) A Travel Voucher document shall be:

1. Legibly printed in ink or typed; or

2. Processed electronically through travel software.

(f) A receipt shall provide the following information for each expense:

1. Amount;

2. Date;

3. Location; and

4. Type.

(g) Receipts shall be maintained at the agency if documents are processed electronically.

(h) If leave interrupts official travel, the dates of leave shall be stated on the Travel Voucher.

(i) Lodging receipts, or other credible evidence, shall be attached to the Travel Voucher.

Section 11. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Pre-paid Registration" document, Form eMARS-37, 06/19/06;

(b) "Request for Authorization of Out-of-State Travel" document, Form DOA-28, 1/2003;

(c) "Request for Authorization of Out-of-Country Travel" document, Form DOA-28A, 1/2003;

(d) "State Park Travel Authorization" document, 1/13/15;

(e) "Travel Voucher" document, Form eMARS-34, 10/27/06;

(f) "Travel Voucher Prepaid Registration Fees: Multiple Cost Distribution" document, Form eMARS-36, 06/19/06;

(g) "Travel Voucher, Other Expenses" document, Form eMARS-34B, 04/17/06;

(h) "Kentucky Official Highway Map", 2016; and

(i) "Rand McNally Road Atlas", 2017.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of the Controller, Finance and Administration Cabinet, Capitol Annex Building, Room 484, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. and online at the Office of the Controller's Web site at <http://finance.ky.gov/services/statewideacct/Pages/travel.aspx>.

HOLLY M. JOHNSON, Secretary

APPROVED BY AGENCY: January 28, 2021

FILED WITH LRC: January 29, 2021 at 12:40 p.m.

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on April 21, 2021 at 10:00 a.m. at Kentucky Finance and Administration Cabinet Office of General Counsel, 702 Capital Ave., Suite 392, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on April 30, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** Cary B. Bishop, Assistant General Counsel, Office of General Counsel, 702 Capital Ave., Suite 392, Frankfort, Kentucky 40601, phone (502) 564-8627, fax (502) 564-9875. email [cary.bishop@ky.gov](mailto:cary.bishop@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact person: Cary B. Bishop

(1) Provide a brief summary of:

(a) What this administrative regulation does: Communicates requirements and rates for reimbursement of state employees' travel expenses.

(b) The necessity of this administrative regulation: KRS 45.101 authorizes the Finance and Administration Cabinet to promulgate an administrative regulation that establishes requirements and reimbursement rates for the travel expenses of state employees. KRS 44.060 requires the secretary to promulgate administrative regulations fixing the amount allowed for the expense of traveling in a motor vehicle in the discharge of official state duties.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation specifies the eligibility requirements relating to rates and forms for reimbursement of travel expense and other official expenses out of the State Treasury.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation specifies the eligibility requirements relating to rates and forms for reimbursement of travel expense and other official expenses out of the State Treasury.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment formally implements the concept of alternate work stations. The amendment enhances work location flexibility for employees and their employing agencies by removing the requirement to re-designate an employee's official work station after two months of assignment.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to clarify reimbursement eligibility for official travel and commuting between an employee's residence, official work station, and alternate work station(s).

(c) How the amendment conforms to the content of the authorizing statutes: This amendment is consistent with the authority provided in KRS 45.101 and 44.060.

(d) How the amendment will assist in the effective administration of the statutes: This amendment updates provisions to assist with the continued consistent and economical application of travel reimbursement practices.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Except as otherwise provided by law, this administrative regulation shall apply to all departments, agencies, boards, and commissions, and institutions of the executive branch of state government, except state-supported universities. It shall not apply to the legislative and judicial branches and their employees.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: No additional action is required.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There are no additional costs anticipated to any entity identified above.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): No additional benefits will accrue.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: This regulation, as amended, is not anticipated to generate any new or additional costs.

(b) On a continuing basis: This regulation, as amended, is not anticipated to generate any new or additional costs.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: This regulation, as amended, is not anticipated to generate any new or additional costs.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: This regulation, as amended, is not anticipated to generate any new or additional fees or funding.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This regulation, as amended, is not anticipated to generate any new or additional fees.

(9) TIERING: Is tiering applied? No. This regulation, as amended, treats all impacted entities the same.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? Except as otherwise provided by law, this administrative regulation shall apply to all departments, agencies, boards, and commissions, and institutions of the executive branch of state government, except state-supported universities. It shall not apply to the legislative and judicial branches and their employees.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 45.101 and 44.060.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No revenue will be generated.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No revenue will be generated.

(c) How much will it cost to administer this program for the first year? There are no estimated additional costs to administer the amendments to this regulation.

(d) How much will it cost to administer this program for subsequent years? There are no estimated additional costs to administer the amendments to this regulation.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: