

Board of Finance Rule Proposals

5:01:02:11. Out-of-state per diem rates. The per diem rates for official state travel outside South Dakota are as follows:

(1) The actual cost of lodging up to a maximum of \$175 plus tax a day. A person designated as having authority to approve out-of-state travel requests may at the person's discretion approve an additional allowance of up to \$100 a day for lodging provided the total amount paid to the employee as reimbursement for lodging does not exceed the actual cost of that lodging; and

(2) An allowance for meals of \$10 for breakfast, ~~\$14~~ \$18 for lunch, and ~~\$21~~ \$28 for dinner a day while on travel status.

Elected state constitutional officers and public utilities commissioners shall be reimbursed for actual expenses for lodging and meals if the officials provide receipts. Such officials may, in lieu of providing receipts for meals, be reimbursed in accordance with subdivision (2) of this section.

Source: SL 1975, ch 16, § 1; 3 SDR 34, effective November 7, 1976; 4 SDR 8, effective August 15, 1977; 6 SDR 15, effective August 30, 1979; 7 SDR 52, effective May 1, 1981; 10 SDR 62, effective January 1, 1984; 15 SDR 194, effective June 22, 1989; 19 SDR 68, effective July 1, 1993; 25 SDR 146, effective July 1, 1999; 31 SDR 115, effective January 27, 2005; 33 SDR 212, adopted May 15, 2007, effective July 1, 2007; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.

5:01:02:14. In-state per diem rates. Per diem rates for official in-state travel are as follows:

- (1) The actual cost of lodging up to a maximum of \$75 plus tax a day;
 - (a) ~~\$55 plus tax a day from check in on September 1 through check out on June 1, and~~
 - (b) ~~\$70 plus tax a day from check in on June 1 through check out on September 1;~~
- (2) An allowance for meals of \$6 for breakfast, ~~\$11~~ \$14 for noon lunch, and ~~\$15~~ \$20 for dinner, up to a maximum of ~~\$32~~ \$40 a day;
- (3) A flat meal allowance of \$14 a day for uniformed highway patrol officers when assigned to field duties; and
- (4) Mileage to and from an in-state work site, allowable only to the extent that it does not exceed the allowable cost of meals and lodging that could be charged if the employee stayed at the work site.

Elected state constitutional officers and public utilities commissioners shall be reimbursed for actual expenses for lodging and meals if the officials provide receipts. Such officials may, in lieu of providing receipts for meals, be reimbursed in accordance with subdivision (2) of this section.

An employee required to perform services under the provisions of SDCL 34-48A-5, if authorized by the Governor, shall be reimbursed for actual expenses for lodging in excess of allowances provided under subdivision (1) of this section if the employee provides receipts.

Upon prior written request of the head of a department or a constitutional officer who hosts a regional or national conference of which the state is a dues-paying member, the Board of Finance may authorize an employee of the department, agency, bureau, or office to be reimbursed for up

to the actual costs of lodging if the conference or meeting is in furtherance of the state's interests, concerns, and activities within the scope of the department's, agency's, bureau's, or office's responsibilities; the employee's lodging is required to carry out duties connected with employment; and lodging for the employee at in-state per diem rates is not available.

Source: SL 1975, ch 16, § 1; 1 SDR 44, effective December 9, 1974; 2 SDR 14, effective August 27, 1975; 3 SDR 34, effective November 7, 1976; 3 SDR 92, effective July 10, 1977; 4 SDR 8, effective August 15, 1977; 6 SDR 15, effective August 30, 1979; 7 SDR 52, effective May 1, 1981; 9 SDR 49, effective October 24, 1982; 10 SDR 62, effective January 1, 1984; 11 SDR 176, effective June 30, 1985; 13 SDR 128, effective March 22, 1987; 14 SDR 150, effective May 22, 1988; 15 SDR 194, effective July 1, 1989; 16 SDR 195, effective May 20, 1990; 16 SDR 220, effective July 1, 1990; 17 SDR 194, effective June 23, 1991; 19 SDR 68, effective July 1, 1993; 19 SDR 198, effective July 1, 1993; 21 SDR 4, effective July 22, 1994; 25 SDR 146, effective July 1, 1999; 29 SDR 101, effective July 1, 2003; 31 SDR 115, effective January 27, 2005; 33 SDR 66, effective October 23, 2006; 38 SDR 220, effective July 1, 2012; 41 SDR 34, effective January 1, 2015; 41 SDR 218, effective July 1, 2015; 43 SDR 80, effective December 5, 2016.

General Authority: SDCL 3-9-2.

Law Implemented: SDCL 3-9-2.

Cross-Reference: Allowance for use of privately owned automobile, § 5:01:02:01.