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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5460

05/07/2024

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The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act

1.2 relating to the legislature; prohibiting a member of the legislature from receiving

1.3 compensation, mileage, or per diem living expenses during any period in which

1.4 the member is incarcerated in a local, state, or federal correctional facility;

1.5 amending Minnesota Statutes 2022, section 3.099, subdivision 1.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. TITLE; MITCHELL ACT.

1.8 This act shall be known as "The Mitchell Act."

1.9 Sec. 2. Minnesota Statutes 2022, section 3.099, subdivision 1, is amended to read:

1.10 Subdivision 1. **Paydays; mileage; per diem.** (a) The compensation of each member of

1.11 the legislature is due on the first day of the regular legislative session of the term and payable

1.12 in equal parts on January 15, in the first month of each term and on the first day of each

1.13 following month during the term for which the member was elected. The compensation of

1.14 each member of the legislature elected at a special election is due on the day the member

1.15 takes the oath of office and payable within ten days of taking the oath for the remaining

1.16 part of the month in which the oath was taken, and then in equal parts on the first day of

1.17 each following month during the term for which the member was elected.

1.18 (b) Each member shall receive mileage for necessary travel to the place of meeting and

1.19 returning to the member's residence in the amount and for trips as authorized by the senate

1.20 for senate members and by the house of representatives for house members.

2.1 (c) Each member shall also receive per diem living expenses during a regular or special
2.2 session of the legislature in the amounts and for the purposes as determined by the senate
2.3 for senate members and by the house of representatives for house members.

2.4 (d) A member is not entitled to compensation, mileage, or per diem living expenses
2.5 during any period in which the member is incarcerated in a local, state, or federal correctional
2.6 facility.

2.7 (e) On January 15 in the first month of each term and on the first day of each following
2.8 month, the secretary of the senate and the chief clerk of the house of representatives shall
2.9 certify to the commissioner of management and budget, in duplicate, the amount of
2.10 compensation then payable to each member of their respective houses and its total.

2.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.