



STATE OF KANSAS

Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

Curt T. Schneider
Attorney General

March 14, 1977

ATTORNEY GENERAL OPINION NO. 77-91

Mr. Nick A. Tomasic
District Attorney
Wyandotte County Courthouse
Kansas City, Kansas 66101

Re: Counties--District Attorneys--Travel Reimbursement

Synopsis: Use of a flat monthly allowance for official travel, based upon travel patterns, past experience, and the like is permissible under K.S.A. 22a-105, as an alternative to maintenance of a daily travel log.

* * *

Dear Mr. Tomasic:

K.S.A. 22a-105 provides in pertinent part thus:

"The district attorneys and their deputies and assistants shall be reimbursed for their actual travel and subsistence expenses incurred while in the performance of their official duties within or without the district."

You inquire whether this provision prohibits the county from reimbursing you for official travel on the basis of a flat prearranged monthly amount, or whether a daily travel log is required to justify every reimbursement under this section.

Mr. Nick A. Tomasic
Page Two
March 14, 1977

The extent of your actual official travel is subject to very reliable estimates, based upon past experience, evaluation of travel patterns and the like. I see no reason why the extent of that travel may not be determined by very close and accurate estimates, and a flat monthly payment computed on that basis, as an alternative to the maintenance of a daily travel log. Obviously, the monthly rate of reimbursement should be determined to approximately as closely as possible the actual travel incurred in official duties. However, in my judgment, the use of a monthly flat reimbursement payment based upon reliable estimates and experience is merely an alternative method to the use of a daily log in computing the amount authorized by statute to be paid, i.e., reimbursement for actual and official travel.

Yours very truly,



CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj