**Meal Allowances**

**I. Purpose**

This policy establishes meal allowances for state employees traveling on official business.

**II. Scope**

This policy applies to all state agencies and institutions, excluding community colleges.

**III. Policy Overview**

Unless covered by a separate section of statute, all elected officials, appointed members of boards, commissions, or councils, department directors, and all other state employees are subject to the regulations regarding meals contained in [2-18-501](https://leg.mt.gov/bills/mca/title_0020/chapter_0180/part_0050/section_0010/0020-0180-0050-0010.html) and [2-18-502](https://leg.mt.gov/bills/mca/title_0020/chapter_0180/part_0050/section_0020/0020-0180-0050-0020.html), MCA. Legislators are subject to certain limitations while the legislature is in session, as noted in [5-2-301](https://leg.mt.gov/bills/mca/title_0050/chapter_0020/part_0030/section_0010/0050-0020-0030-0010.html), MCA. Agencies may refer to the [Employee Travel](http://doa.mt.gov/employee-travel) webpage for additional travel policies and information.

To be eligible for a meal allowance while traveling on state business, an employee must be:

**1.** In a travel status for more than three continuous hours; and

**2.** At least 15 miles from headquarters or home, whichever is closer.

Refer to the Employee Travel policy for an explanation of travel status.

The meal allowance is a fixed amount per meal, inclusive of any taxes and tips paid, and is not a reimbursement for actual meal costs incurred. An employee is generally entitled to receive a meal allowance if they are in a travel status and meet the above criteria. However, they may not request reimbursement for meals included in the cost of a conference registration paid by their agency or for meals provided by another entity with whom the state is conducting business.

**A. Mileage Requirements**

If the employee travels each day from headquarters or home to a specific work site within 15 miles of their home or headquarters, they are not in a travel status and may not claim a meal allowance unless they must stay overnight. The employee should consider the work site to be their "headquarters" for that day.

**B. In-State to Out-of-State Travel**

If an employee is traveling from in-state to out-of-state, or vice versa, they must observe these rules regarding reimbursement for meals:

**1.**For overnight travel, the geographical location of the lodging facility determines the applicable meal reimbursement rate. However, if the employee has a layover for business or personal reasons that occurs in-state before the employee re-embarks to an out-of-state destination where they continue in a business travel status, in-state rates apply until the employee begins the subsequent leg of their travel taking them out-of-state.

**2.**If an employee is in a travel status for less than 24 hours and does not stay overnight, the primary destination to which the employee travels for official business dictates whether meal allowances are at the in-state or out-of-state rate.

**3.**When an employee boards a flight originating in Montana with an out-of-state destination, they receive out-of-state rates from the time they depart until they return to Montana.

**IV. Determination of Meal Allowance**

**A. Travel Shift**

Section [2-18-502 (3)](https://leg.mt.gov/bills/mca/title_0020/chapter_0180/part_0050/section_0020/0020-0180-0050-0020.html), MCA, defines "travel shift" as beginning one hour before and ending one hour after an employee's regular scheduled work shift. An employee may claim only one meal allowance if travel takes place within their assigned travel shift. An employee is entitled to two meal allowances if they depart within their travel shift but return outside the shift; or depart before their assigned travel shift and return during the travel shift.

When travel is outside the employee's travel shift, both departing before and returning after, eligibility for a meal allowance is governed strictly by the time ranges for each meal.

*Example:**An employee’s regular work hours are 8:00am-5:00pm, therefore their travel shift begins at 7:00am and ends at 6:00pm. They travel to Billings from Helena, leaving at 5:00am to attend a 9:00am meeting that lasts until 5:00pm, returning to Helena at 9:00pm. They meet the qualifying range for all three meals by being within a travel status for more than three continuous hours in each of the day shift ranges, and their travel exceeds their travel shift both before and after.*

**B. Time Ranges**

The time ranges determining eligibility for meal allowances are established in [2-18-502 (1)](https://leg.mt.gov/bills/mca/title_0020/chapter_0180/part_0050/section_0020/0020-0180-0050-0020.html), MCA. To claim an allowance for a meal, an employee must be in travel status for more than three (3) continuous hours during the designated time ranges. There are two different time shifts that determine an employee’s meal rate calculation: (1) day-shift hours, and (2) night-shift hours. Most employees will apply the day-shift hours to determine a meal allowance. Only employees designated by an agency to work night-shifts will fall under the night-shift time range. Night-shift hours apply when a majority of an employee’s work hours are between 7:00 p.m. and 6:00 a.m.

**Day-Shift Hours**

|  |  |  |  |
| --- | --- | --- | --- |
| Time Range | Meal | In-State Meal Rate | Out-of-State Meal Rate |
| 12:01am to 10:00 am | Morning Meal | $11.20 | $16 |
| 10:01 am to 3:00 pm | Midday Meal | $13.30 | $19 |
| 3:01 pm to Midnight | Evening Meal | $19.60 | $28 |

**Night-Shift Hours**

|  |  |  |  |
| --- | --- | --- | --- |
| Time Range | Meal | In-State Meal Rate | Out-of-State Meal Rate |
| 12:01pm to 10:00 pm | Evening Meal | $19.60 | $28 |
| 10:01 pm to 3:00 am | Mid-night Meal | $13.30 | $19 |
| 3:01 am to Noon | Early-morning Meal | $11.20 | $16 |

When determining eligibility for a shift-meal, each time range must be considered separately when applying the more-than-three-continuous-hour rule. Therefore, an employee must spend more than 3 hours (a minimum of 181 minutes) in a time range to be eligible for that corresponding meal.

*Example: An employee’s regular work hours are 8:00am-5:00pm, therefore their travel shift begins at 7:00am and ends at 6:00pm. If they travel from 7:00am to 2:00pm, they are eligible to receive a meal allowance for only the midday meal. The midday meal range is the only day shift range where they are in a travel status for more than three continuous hours. They were in the morning meal range for exactly three hours (180 minutes) not more than three (181+ minutes) and therefore do not qualify for the morning meal.*

*Example: An employee’s regular work hours are 6:00am-3:00pm, therefor their travel shift begins at 5am and ends at 4pm. The employee arrives at headquarters to begin work at 6:00am. They then depart from headquarters at 7:00am to travel from Helena to Great Falls for a presentation. They return to headquarters in Helena at 12:30pm and continue to work through the remainder of their shift.**The employee was in travel status for 3 hours for the morning meal range and 2.5 hours for the midday meal range. This employee would not be eligible for any meal reimbursement. The employee was not in a travel status for a duration of over three hours in any of the day shift qualifying ranges.*

An employee cannot claim a meal allowance if they stop to eat, and because of the stop, extend their travel shift into the next allowed mealtime range. By stopping they have artificially extended their travel into the next time range and this will result in denial of any claim for that range's meal allowance.

*Example: An employee’s regular work hours are 8:00am-5:00pm, therefore their travel shift begins at 7:00am and ends at 6:00pm. They leave Helena at 8:00am to attend a meeting in Butte at 9:30am. The meeting ends at 4:00pm. If the employee immediately left to head back to Helena, they could arrive by 5:30pm. That would place the employee in the evening meal range for 2.5 hours, not enough to qualify for the evening meal. If the employee chooses to stop for dinner before returning and reaches Helena by 6:30pm, the unnecessary stop for dinner caused the employee to be late returning to Helena. The unnecessary stop caused the employee to be in the evening meal range for 3.5 hours and extended their travel beyond their travel shift. The voluntary act postponing their return could have been avoided. A claim for the evening meal reimbursement would be inappropriate and be denied. Additionally, since the travel should have occurred fully within the employee’s travel shift, the employee may only receive one of the three meal allowances.*

**V. Meal Rates**

**A. In-State Meal Rates**

Effective July 1, 2025, House Bill 13 (2025) amends the in-state meal allowances to be authorized at 70% of the standard federal rate of reimbursement for breakfast, lunch, and dinner in Montana established by the United States general services administration [GSA website](https://www.gsa.gov/travel/plan-book/per-diem-rates) in accordance with the federal travel regulation.

Effective October 1, 2025 - September 30,2026, the in-state meal allowances are the following:

|  |  |
| --- | --- |
| Meal | Meal Rate |
| Morning meal/Early morning meal | $11.20 |
| Midday meal/Midnight meal | $13.30 |
| Evening meal | $19.60 |
| Maximum total per day | $44.10 |

**B. Out-of-State Meal Rates**

Meal allowances for out-of-state travel (including U. S. territories and possessions) are equal to the maximum standard federal rate per meal , as established in [2-18-501 (2)](https://leg.mt.gov/bills/mca/title_0020/chapter_0180/part_0050/section_0010/0020-0180-0050-0010.html), MCA. The federal schedules are available on the [GSA website](https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup) and may change annually beginning on October 1st of each year. Although the federal schedules provide for higher meal allowances in specific locations, [2-18-501 (2)(b)](https://leg.mt.gov/bills/mca/title_0020/chapter_0180/part_0050/section_0010/0020-0180-0050-0010.html), MCA, allows only the standard federal rate for meals. Per HB 13 and MCA 2-18-501 Montana does not recognize the $5 incidental charge as a reimbursement expense when submitting receipts for out-of-state meals. The maximum daily allowable reimbursement for out-of-state meals is $63.

**C. Out-of-Country Meal Rates**

For travel to a location outside of the United States, meal reimbursement rates are provided in 2-18-501(2), MCA, as follows:

If the cost of meals obtained in a foreign country exceeds the rates established in 2-18-501(2), MCA, the employee will be reimbursed for actual meal expenses, excluding any cost of alcoholic beverages, up to the daily maximum established by the U. S. Department of State for the related foreign area. The federal schedules for foreign travel rates can be accessed on [U. S. Department of State](https://aoprals.state.gov/content.asp?content_id=184&menu_id=78) website under the link for Foreign Per Diem Rates. This link is also available on the [Employee Travel](http://doa.mt.gov/employee-travel) webpage under Travel Resources.

The allowed federal foreign travel rates for meals and incidental expenses (M & IE Rate) are combined into a single US dollar amount. To determine the appropriate maximum federal per diem rates for each meal the combined rate is allocated at the rate of 15% for breakfast, 25% for lunch, and 40% for dinner; or 80% of the total M & IE Rate for a full day, rounded to the nearest dollar. If an employee is in foreign travel status for less than a full day, the federal meal total should be allocated using the individual meal percentages.

The 20% foreign "incidental allowance" included in the federal per diem rate is not allowable under state law.

**VI. Special Circumstances for Firefighters**

Sections [2-18-501 (10) and (11)](https://leg.mt.gov/bills/mca/title_0020/chapter_0180/part_0050/section_0010/0020-0180-0050-0010.html)**,** MCA, provides that firefighters employed by the Department of Natural Resources and Conservation, who are directly involved in the suppression of a wildfire in Montana, are permitted to claim the actual cost of meals exceeding the state meal reimbursement rates up to specified limits. Please contact DNRC for approved actual cost limits.

**VII. Exceptions**

Appointed members of a state board, commission, or council are entitled to a midday meal on the day of a meeting, regardless of proximity of the meeting to headquarters or their home. When the legislature is not in session, a member of a legislative subcommittee, select, or interim committee is entitled to meal allowances as outlined in [5-2-302](https://archive.legmt.gov/bills/mca/title_0050/chapter_0020/part_0030/section_0020/0050-0020-0030-0020.html), MCA. These exceptions do not apply to a member of a legislative committee that is meeting during a legislative session.