3X.0X. MOVING EXPENSE REIMBURSEMENT

Moving expenses are not permitted by State Board of Regents, except as authorized by K.S.A. 76-727. The entire Statue is listed below.

K.S.A. 76-727 states the following:

"Reimbursement for moving expense may be made to applicants for positions in the unclassified service under the Kansas civil service act at state educational institutions other than chief executive officers in accordance with this section if such reimbursement is from private funds provided to the state educational institutions by the endowment associations or other affiliated corporations of such state educational institutions."

Moving and relocation expenses are reimbursable for in-state and out-of-state unclassified applicants (new hires). Departments responsible for reimbursement of moving expenses must ensure that:

- The applicant is required to sign an agreement that if the applicant leaves the position of employment within one year from the beginning date of employment, the applicant will reimburse Emporia State University the full amount paid for moving expenses. (Form DA-22 - Agreement for Reimbursement of Moving Expenses).
- Reimbursement for mileage will be at the state mileage rate. Actual gas receipts will be accepted for reimbursement.
- The amount to be paid for moving expenses shall not exceed the amount of the actual moving expenses verified by receipts.
- All reimbursements will be paid through the university's Accounts Payable process. All reimbursements will be reported to the Payroll Office.
- Reimbursements that have a tax consequence will be reported as fringe benefits subject to tax withholding.
- Reimbursements that do not have a tax consequence will be reported to Payroll so the amount can be reported in Box 12 of the W-2. This will ensure the appropriate reporting of moving expenses.

The following expenses are considered non-qualified moving expenses that may be reimbursed and will be included as a taxable fringe benefit through Payroll. The move must be at least 30 miles.

- Expenses related to one pre-move trip to look for a new residence.
- Meal allowance while en-route from the old residence to the new residence.
- Subsistence expenses while occupying temporary quarters for a period of 30 days.
- The excess mileage reimbursement of the standard state rate over the IRS standard mileage rate.

The following items are also considered non-qualified moving expenses that may be reimbursed and will be included as a taxable fringe benefit through Payroll when the new work location is less than 50 miles further from the former residence that was the former place of work. The move must be at least 30 miles.

- Lodging en route from the old residence to the new residence
- Cost of moving personal effects.
- One way mileage at the standard state rates.
- Temporary Storage (defined as 30 days or less.)
When the work location is at least 50 miles further from the former residence that was the former place of work, the following moving expenses are considered **qualified moving expenses**
that are paid through the Accounts Payable and also reported through Payroll and are not taxed.
- Cost of moving personal effects.
- Mileage (at IRS rate per Publication 521) and lodging en route while moving from the old residence to the new residence.
- Temporary storage (defined as 30 days or less.)

All requests for reimbursement will be submitted to Accounts Payable via the OnBase Invoice processing system. The ESU Foundation reimbursement box must be checked and the ESU Foundation fund number listed. The original receipts must be scanned into OnBase.

Additional information can be obtained from IRS Publication 521 – Moving Expenses. This publication details the expenses that are allowed to be deducted and those expenses that are not allowed to be deducted. All moving expenses that have been reimbursed must be reported in either Box 1 (taxed) or Box 12 (not taxed) of the W-2.

KANSAS STATUTES

**Chapter 76: State Institutions And Agencies; Historical Property**

**Article 7: State Educational Institutions; Management And Operation**

**Statute 76-727: Recruitment of personnel; payment of certain expenses authorized.**

(a) The chief executive officer of any state educational institution, when approved by the state board of regents, may extend an invitation to any person to meet with representatives of such state educational institution for the purpose of consultation preliminary to such person's possible selection as a member of the unclassified staff at such state educational institution, and in such case, such state educational institution may pay the actual and necessary travel and subsistence expenses of such invitee in meeting with such representatives. The state board of regents may extend an invitation to any person to meet with the state board of regents or with representatives of such board for the purpose of consultation preliminary to such person's possible selection as chief executive officer of a state educational institution under the control and supervision of the state board of regents or as executive officer of the state board of regents, and in such case, the state board of regents may pay the actual and necessary travel and subsistence expenses of such invitee and such invitee's spouse in meeting with the board or with such representatives. The travel and subsistence expenses shall be paid from funds available or appropriated for travel and subsistence.

(b) (1) Subject to the limitations of rules and regulations adopted by the secretary of administration, the state board of regents may agree to reimburse an applicant for the position of chief executive officer of a state educational institution or an applicant for any position in the office of the state board of regents for all or part of the applicant's moving expenses from the applicant's usual place of residence to the applicant's new place of residence as an inducement to the applicant to accept such position of employment.
(2) The amount to be paid for moving expenses shall not exceed the amount of the actual moving expenses verified by receipts or the amount of moving expenses for moving 12,000 pounds of household goods, whichever is the lesser amount. The applicant shall be required to sign an agreement that if the applicant leaves the position of employment within one year from the beginning date of employment, the applicant will reimburse the state board of regents the full amount so paid for moving expenses, and the obligation to repay shall constitute a lien and setoff by the state against the applicant employee's unpaid wages or salary. The moving expenses shall be paid from funds available or appropriated for moving expenses.

(3) **Reimbursement for moving expenses may** be made to applicants for positions in the **unclassified** service under the Kansas civil service act at state educational institutions other than chief executive officers in accordance with this section if **such reimbursement is from private funds provided to the state educational institutions by the endowment associations** or other affiliated corporations of such state educational institutions.

(c) The provisions of K.S.A. 75-3218, and amendments thereto, and subsection (a) of K.S.A. 75-3225, shall not apply to state educational institutions.

(d) The chief executive officer of any state educational institution, or any person or persons designated by such officer for the purpose, with the approval of the state board of regents, may travel to any place or places in the United States for the purpose of interviewing persons as prospective members of the faculty of such state educational institution, and in such case, such state educational institution shall pay the transportation and subsistence expenses of persons making such trips. The travel and subsistence shall be paid at the same rates and subject to the same limitations as now provided for state employees for out-of-state travel. The travel and subsistence shall be paid from funds available or appropriated for travel and subsistence.