

HISTORY OF LEGISLATOR SALARY AND PER DIEM RATES

Salary Rates:

- Laws of 1977, Chapter 103 – Enacted the additional \$5/day during session for President of the Senate and Speaker of the House.
- Prior to 2009 Session – Salary based on 5-2-301, MCA, defined as “commensurate to that of the daily rate of an entry grade 10 classified state employee in effect when the regular session of the legislature in which they serve is convened...”
- Beginning with 2009 Session - HB13, passed during the 2007 session, reflected the executive branch implementation of a broadband pay plan and revised 5-2-301, MCA, related to legislator salary. Legislator salary was established as “commensurate to that of the daily rate for an employee earning \$10.33 an hour when the regular session of the legislature in which they serve is convened...” The salary must be adjusted by any statutorily required pay increase. The statute revision was effective 7/1/07 and first applied to the 61st Legislature convening in January 2009. (Verified with Legal Director 7/20/07)
- For 2017 - 2019 Sessions – SB 418 (L. 2015), raised state employee salaries by 50 cents an hour in January of 2016 and January of 2017, making the salary \$11.33 /hour. SB 294 (L. 2017), raised state employee salaries by 1% in February of 2018 and 1% in February of 2019, making the salary \$11.56 /hour.
- For 2021 Session - HB 175 (L. 2019) raised pay for state employees that included a 0.50 cent increase beginning the first pay period including January 1 for each year of the biennium, making the salary \$12.56/hour.
- For 2023 Session – HB 13 (L. 2021) raised pay for state employees that included a 0.55 cent increase beginning the first pay period including November 5, 2022, making the salary \$13.11/hour for Legislators starting January 2, 2023.
- For 2025 Session – HB 13 raised pay for state employees that included \$1.50 an hour or 4% whichever is greater beginning the first complete pay period that includes July 1, 2023, and the same for the pay period that includes July 1, 2024. This makes the Legislators’ salary \$16.11/hour starting January 6, 2025.

NOTE: Statute requires an adjustment for any statutory pay increase. When the hourly rate remains unchanged in statute, legislative staff manually calculates and applies cumulative changes. Remember, a statutory increase which takes effect *after* a Legislature convenes in regular session is not applied until the *next* Legislature convenes (Art. 5, sec. 5, Montana Constitution).

| MONTH/YEAR | DAILY | HOURLY | ANNUAL |
|--------------|----------|---------|----------|
| January 1999 | \$59.67 | \$7.46 | \$15,515 |
| January 2001 | \$71.83 | \$8.98 | \$18,676 |
| January 2003 | \$76.80 | \$9.60 | \$19,968 |
| January 2005 | \$76.80 | \$9.60 | \$19,968 |
| January 2007 | \$82.67 | \$10.33 | \$21,493 |
| January 2009 | \$82.64 | \$10.33 | \$21,486 |
| January 2011 | \$82.64 | \$10.33 | \$21,486 |
| January 2013 | \$82.64 | \$10.33 | \$21,486 |
| January 2015 | \$82.64 | \$10.33 | \$21,486 |
| January 2017 | \$90.64 | \$11.33 | \$23,566 |
| January 2019 | \$92.46 | \$11.56 | \$24,045 |
| January 2021 | \$100.46 | \$12.56 | \$26,125 |
| January 2023 | \$104.86 | \$13.11 | \$27,269 |
| January 2025 | \$128.86 | \$16.11 | \$33,509 |

Session Per Diem Rates:

- In the 2023 Session - House Bill 28 changed in-session per diem for legislators to the Federal Per Diem Rate. This rate changes each October.

| Biennium | Per Diem Rate |
|----------|---------------|
| 1997 | \$70.00 |
| 1999 | \$75.00 |
| 2001 | \$87.25 |
| 2003 | \$90.31 |
| 2005 | \$94.05 |
| 2007 | \$98.75 |
| 2009 | \$103.69 |
| 2011 | \$105.31 |
| 2013 | \$109.78 |
| 2015 | \$112.85 |
| 2017 | \$114.39 |
| 2019 | \$120.11 |
| 2021 | \$126.12 |
| 2023 | \$171.00 |
| 2025 | \$206.00 |

Interim Per Diem Rates:**Interim per diem rates (5-2-302, MCA)**

Statute provides that when the legislature is not in session, legislators engaged in legislative business with prior authorization are entitled to:

- (1) A mileage allowance as provided in 2-18-503 (based on current IRS mileage rate)
- (2) Expenses as provided in 2-18-501 and 2-18-502, MCA (meals and lodging based on allowable state rates)
- (3) A salary equal to a full day's pay at the rate in 5-2-301(1) (see above).

Primary and Secondary Constituent Services Funds

Program History:

5-2-204, MCA, provides for a stipend for legislators and/or allows reimbursement of constituent services expenses not paid from a constituent services account under 13-37-402, MCA or otherwise reimbursed. The statute provides a primary \$3,000 stipend or allowance for each legislator and a secondary amount of between \$1,000 and \$4,000 depending on the square mileage of a legislator's district, for districts over 100 square miles (taxes may apply).

This gives legislators the option to choose how the primary \$3,000 is distributed.

1. “Stipend” which is a lump sum payment.
2. “Allowance” which is reimbursement for expenditures.
3. A combination of a “stipend” and/or “allowance.”

Secondary Amount

- The law specifies that legislators must apply for reimbursement to the Legislative Services Division by submitting written documentation that satisfies applicable requirements of 2-18-5, MCA which apply to meals, lodging, and transportation for otherwise unreimbursed expenses related to the legislator’s expenses incurred for providing constituent services. The secondary amount is a variable amount that is determined by square mileage of district. Please click [Constituent Services Secondary Reimbursement Amount by District](#) to see if your district is eligible for a secondary amount (and applicable amount).