

By: Senator(s) Rayborn, Hamilton, Lee,
Dickerson

To: Insurance;
Appropriations

SENATE BILL NO. 2226

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE FOR AN ADDITIONAL APPROPRIATION OF MONIES TO THE RURAL
3 FIRE TRUCK FUND DURING THE 1999 REGULAR SESSION; AND FOR RELATED
4 PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF
5 MISSISSIPPI:

6
7 SECTION 1. Section 17-23-1, Mississippi Code of 1972, is
8 amended as follows:

9 17-23-1. (1) There is established a rural fire truck
10 acquisition assistance program to be administered by the
11 Department of Insurance for the purpose of assisting counties and
12 municipalities in the acquisition of fire trucks.

13 (2) There is created in the State Treasury a special fund to
14 be designated as the "Rural Fire Truck Fund." The Legislature may
15 appropriate during the 1999 Regular Session an amount not to
16 exceed Four Million Dollars (\$4,000,000.00), or that amount
17 obligated by the Department of Insurance, from the State General
18 Fund to such special fund, which sum shall be added to the
19 remainder of the money transferred on July 1, 1995, and
20 appropriated during the 1996 and 1998 Regular Sessions to the
21 Rural Fire Truck Fund. * * * Such monies as are deposited into
22 the fund under the provisions of this section may be available
23 after the 1999 Regular Session and such monies must be obligated
24 by December 31, 2000, upon legislative appropriation, and upon
25 requisition therefor by the Commissioner of Insurance, in
26 accordance with the provisions of this section. Unexpended
27 amounts remaining in the fund at the end of a fiscal year shall
28 not lapse into the State General Fund, and any interest earned on
29 amounts in the fund shall be deposited to the credit of the fund.

30 It is the intent of the Legislature that the Department of
31 Insurance continue to accept applications from the counties for
32 fire trucks from the additional funds authorized by this
33 subsection. The Department of Insurance shall include these funds
34 in the fiscal years 1999 and 2000 budget requests.

35 (3) (a) A county that meets the requirements provided
36 herein may receive an amount not to exceed One Hundred Fifty
37 Thousand Dollars (\$150,000.00) as provided in subparagraphs (i),
38 (ii) and (iii) of this paragraph, and such amount shall be divided
39 equally with not more than Fifty Thousand Dollars (\$50,000.00) per
40 fire truck. Monies distributed under this chapter shall be
41 expended only for the purchase of new fire trucks and such trucks
42 must meet the National Fire Protection Association (NFPA)
43 standards in the 1900 series.

44 (i) Any county that has not applied for a fire
45 truck under this section is eligible to submit applications for
46 three (3) fire trucks at not more than Fifty Thousand Dollars
47 (\$50,000.00) per truck or a total of One Hundred Fifty Thousand
48 Dollars (\$150,000.00).

49 (ii) Any county that has received one (1) fire
50 truck under this section is eligible to submit applications for
51 two (2) fire trucks at not more than Fifty Thousand Dollars
52 (\$50,000.00) per truck or a total of One Hundred Thousand Dollars
53 (\$100,000.00).

54 (iii) Any county that has received two (2) fire
55 trucks under this section is eligible to submit an application for
56 one (1) fire truck or a total of not more than Fifty Thousand
57 Dollars (\$50,000.00).

58 (b) The board of supervisors of the county shall submit
59 its request for the receipt of monies to the Department of
60 Insurance. A committee composed of the Commissioner of Insurance,
61 the State Fire Coordinator, the Director of the Rating Bureau and
62 the Director of the State Fire Academy shall review the requests
63 by the boards of supervisors and shall determine whether the
64 county or municipality for which the board of supervisors has
65 requested a truck meets the requirements of eligibility under this
66 chapter.

67 (c) To be eligible to receive monies under this

68 chapter:

69 (i) A county or municipality must pledge to set
70 aside or dedicate each year as matching funds, for a period not to
71 extend over ten (10) years, local funds in an amount equal to or
72 not less than one-tenth (1/10) of the amount of monies for which
73 it is requesting distribution from the Rural Fire Truck Fund,
74 which pledged monies may be derived from local ad valorem tax
75 authorized by law or from any other funds available to the county
76 or municipality, except for those funds received by municipalities
77 or counties from the Municipal Fire Protection Fund or the County
78 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
79 83-1-39.

80 (ii) A municipality must provide adequate
81 documentation of its contract with the county that requires the
82 municipality to provide fire protection in rural areas. The term
83 "rural areas" means any area within the county located outside the
84 boundaries of an incorporated municipality or any incorporated
85 municipality with a population of two thousand five hundred
86 (2,500) or less.

87 (d) The Department of Insurance shall maintain an
88 accurate record of all monies distributed to counties and
89 municipalities and the number of fire trucks purchased and the
90 cost for each fire truck, such records to be kept separate from
91 other records of the Department of Insurance; notify counties and
92 municipalities of the rural fire truck acquisition assistance
93 program and the requirements for them to become eligible to
94 participate; adopt and promulgate such rules and regulations as
95 may be necessary and desirable to implement the provisions of this
96 chapter; and file with the Legislature on or before January 2,
97 1999, and July 1, 1999, a report detailing how monies made
98 available under this chapter were distributed and spent during the
99 preceding portion of the fiscal year in each county and
100 municipality, the number of fire trucks purchased, the counties
101 and municipalities making such purchases and the cost of each fire

102 truck purchased.

103 SECTION 2. This act shall take effect and be in force from
104 and after its passage.