

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.