

By: Senator(s) Rayborn, Hamilton, Lee,
Dickerson, Posey, Dearing, Smith, Gordon,
Woodfield, Tollison, Browning, White (5th),
Carter, Jackson, Stogner, Moffatt, Harvey,
Frazier, Jordan (24th), Farris, Harden,
Ferris, Huggins, Johnson (19th), Burton,
Horhn, Hawks, Cuevas, Minor, Scoper, Furniss,
Mettetal

To: Insurance;
Appropriations

SENATE BILL NO. 2226
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 ALLOW CERTAIN COUNTIES TO APPLY FOR THE FOURTH ROUND OF FIRE
3 TRUCKS UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM;
4 TO PROVIDE THAT THE LEGISLATURE MAY APPROPRIATE THAT AMOUNT
5 NECESSARY TO FULFILL THE OBLIGATIONS CREATED UNDER THIS SECTION;
6 AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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

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

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

30 General Fund, and any interest earned on amounts in the fund shall
31 be deposited to the credit of the fund. It is the intent of the
32 Legislature that the Department of Insurance continue to accept
33 applications from the counties for fire trucks from the additional
34 funds authorized by this subsection. The Department of Insurance
35 shall include these funds in the fiscal years 1999 and 2000 budget
36 requests.

37 (3) (a) A county that meets the requirements provided
38 herein may receive an amount not to exceed Two Hundred Thousand
39 Dollars (\$200,000.00) as provided in subparagraphs (i), (ii),
40 (iii) and (iv) of this paragraph, and such amount shall be divided
41 equally with not more than Fifty Thousand Dollars (\$50,000.00) per
42 fire truck. Monies distributed under this chapter shall be
43 expended only for the purchase of new fire trucks and such trucks
44 must meet the National Fire Protection Association (NFPA)
45 standards in the 1900 series.

46 (i) Any county that has not applied for a fire
47 truck under this section is eligible to submit applications for
48 four (4) fire trucks at not more than Fifty Thousand Dollars
49 (\$50,000.00) per truck or a total of Two Hundred Thousand Dollars
50 (\$200,000.00).

51 (ii) Any county that has received one (1) fire
52 truck under this section is eligible to submit applications for
53 three (3) fire trucks at not more than Fifty Thousand Dollars
54 (\$50,000.00) per truck or a total of One Hundred Fifty Thousand
55 Dollars (\$150,000.00).

56 (iii) Any county that has received two (2) fire
57 trucks under this section is eligible to submit an application for
58 two (2) fire trucks or a total of not more than One Hundred
59 Thousand Dollars (\$100,000.00).

60 (iv) Any county that has received three (3) fire
61 trucks under this section is eligible to submit an application for
62 one (1) fire truck or a total of not more than Fifty Thousand
63 Dollars (\$50,000.00).

64 (b) The board of supervisors of the county shall submit
65 its request for the receipt of monies to the Department of
66 Insurance. A committee composed of the Commissioner of Insurance,
67 the State Fire Coordinator, the Director of the Rating Bureau and

68 the Director of the State Fire Academy shall review the requests
69 by the boards of supervisors and shall determine whether the
70 county or municipality for which the board of supervisors has
71 requested a truck meets the requirements of eligibility under this
72 chapter.

73 (c) To be eligible to receive monies under this
74 chapter:

75 (i) A county or municipality must pledge to set
76 aside or dedicate each year as matching funds, for a period not to
77 extend over ten (10) years, local funds in an amount equal to or
78 not less than one-tenth (1/10) of the amount of monies for which
79 it is requesting distribution from the Rural Fire Truck Fund,
80 which pledged monies may be derived from local ad valorem tax
81 authorized by law or from any other funds available to the county
82 or municipality, except for those funds received by municipalities
83 or counties from the Municipal Fire Protection Fund or the County
84 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
85 83-1-39.

86 (ii) A municipality must provide adequate
87 documentation of its contract with the county that requires the
88 municipality to provide fire protection in rural areas. The term
89 "rural areas" means any area within the county located outside the
90 boundaries of an incorporated municipality or any incorporated
91 municipality with a population of two thousand five hundred
92 (2,500) or less.

93 (d) The Department of Insurance shall maintain an
94 accurate record of all monies distributed to counties and
95 municipalities and the number of fire trucks purchased and the
96 cost for each fire truck, such records to be kept separate from
97 other records of the Department of Insurance; notify counties and
98 municipalities of the rural fire truck acquisition assistance
99 program and the requirements for them to become eligible to
100 participate; adopt and promulgate such rules and regulations as
101 may be necessary and desirable to implement the provisions of this

102 chapter; and file with the Legislature on or before January 2,
103 1999, and July 1, 1999, a report detailing how monies made
104 available under this chapter were distributed and spent during the
105 preceding portion of the fiscal year in each county and
106 municipality, the number of fire trucks purchased, the counties
107 and municipalities making such purchases and the cost of each fire
108 truck purchased.

109 SECTION 2. This act shall take effect and be in force from
110 and after July 1, 1999.