

By: Representatives Stevens, Reynolds

To: Insurance;
Appropriations

HOUSE BILL NO. 720

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE DEPARTMENT OF INSURANCE TO ACCEPT APPLICATIONS UNDER
3 THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM FOR A TOTAL OF
4 FIVE FIRE TRUCKS PER COUNTY TO BE FUNDED AS FUNDS BECOME
5 AVAILABLE; AND FOR RELATED PURPOSES.

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

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, as
15 funds become available, may appropriate * * * that amount
16 necessary to fulfill the obligations created under this section by
17 the Department of Insurance, from the State General Fund to such
18 special fund, which sum shall be added to the remainder of the
19 money transferred on July 1, 1995, and during the 1996 Regular
20 Session to the Rural Fire Truck Fund. The appropriation may be
21 made during the 2001 Regular Session. Such monies as are
22 deposited into the fund under the provisions of this section may
23 be available after the 2001 Regular Session and such monies must
24 be obligated by December 31, 2002, upon legislative appropriation,
25 and upon 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 as provided in subsection (3) of this section.

33 (3) (a) A county that meets the requirements provided
34 herein may receive an amount not to exceed Two Hundred Fifty
35 Thousand Dollars (\$250,000.00) as provided in subparagraphs (i),
36 (ii), (iii), (iv) and (v) of this paragraph, and such amount shall
37 be divided equally with not more than Fifty Thousand Dollars
38 (\$50,000.00) per fire truck. Monies distributed under this
39 chapter shall be expended only for the purchase of new fire trucks
40 and such trucks must meet the National Fire Protection Association
41 (NFPA) standards in the 1900 series.

42 (i) Any county that has not applied for a fire
43 truck under this section is eligible to submit applications for
44 five (5) fire trucks at not more than Fifty Thousand Dollars
45 (\$50,000.00) per truck or a total of Two Hundred Fifty Thousand
46 Dollars (\$250,000.00).

47 (ii) Any county that has received one (1) fire
48 truck under this section is eligible to submit applications for
49 four (4) fire trucks at not more than Fifty Thousand Dollars
50 (\$50,000.00) per truck or a total of Two Hundred Thousand Dollars
51 (\$200,000.00).

52 (iii) Any county that has received two (2) fire
53 trucks under this section is eligible to submit an application for
54 three (3) fire trucks or a total of not more than One Hundred
55 Fifty Thousand Dollars (\$150,000.00).

56 (iv) Any county that has received three (3) 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 (v) Any county that has received four (4) 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 2002, and July 1, 2002, 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, 2001.