

By: Representatives Stevens, Reynolds

To: Insurance;
Appropriations

COMMITTEE SUBSTITUTE
FOR
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. * * * Unexpended amounts
21 remaining in the fund at the end of a fiscal year shall not lapse
22 into the State General Fund, and any interest earned on amounts in
23 the fund shall be deposited to the credit of the fund. It is the
24 intent of the Legislature that the Department of Insurance
25 continue to accept applications from the counties for fire trucks
26 as provided in subsection (3) of this section.

27 (3) (a) A county that meets the requirements provided
28 herein may receive an amount not to exceed Two Hundred Fifty

29 Thousand Dollars (\$250,000.00) as provided in subparagraphs (i),
30 (ii), (iii), (iv) and (v) of this paragraph, and such amount shall
31 be divided equally with not more than Fifty Thousand Dollars
32 (\$50,000.00) per fire truck. Monies distributed under this
33 chapter shall be expended only for the purchase of new fire trucks
34 and such trucks must meet the National Fire Protection Association
35 (NFPA) standards in the 1900 series.

36 (i) Any county that has not applied for a fire
37 truck under this section is eligible to submit applications for
38 five (5) fire trucks at not more than Fifty Thousand Dollars
39 (\$50,000.00) per truck or a total of Two Hundred Fifty Thousand
40 Dollars (\$250,000.00).

41 (ii) Any county that has received one (1) fire
42 truck under this section is eligible to submit applications for
43 four (4) fire trucks at not more than Fifty Thousand Dollars
44 (\$50,000.00) per truck or a total of Two Hundred Thousand Dollars
45 (\$200,000.00).

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

50 (iv) Any county that has received three (3) fire
51 trucks under this section is eligible to submit an application for
52 two (2) fire trucks or a total of not more than One Hundred
53 Thousand Dollars (\$100,000.00).

54 (v) Any county that has received four (4) 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, when funds are available, file with the Legislature
97 * * * a report detailing how monies made available under this
98 chapter were distributed and spent during the preceding portion of
99 the fiscal year in each county and municipality, the number of
100 fire trucks purchased, the counties and municipalities making such
101 purchases and the cost of each fire truck purchased.

102 SECTION 2. This act shall take effect and be in force from
103 and after July 1, 2001.