HOUSE BILL NO. 720
(As Sent to Governor)

AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO ACCEPT APPLICATIONS UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM FOR A TOTAL OF FIVE FIRE TRUCKS PER COUNTY; AND FOR RELATED PURPOSES.

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

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

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

(2) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Fund." The Legislature may appropriate * * * that amount necessary to fulfill the obligations created under this section by the Department of Insurance, from the State General Fund to such special fund, which sum shall be added to the remainder of the money transferred on July 1, 1995, and during the 1996 Regular Session to the Rural Fire Truck Fund. * * * Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. It is the intent of the Legislature that the Department of Insurance continue to accept applications from the counties for fire trucks as provided in subsection (3) of this section.

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

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

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

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

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

(v) Any county that has received four (4) fire
trucks under this section is eligible to submit an application for
one (1) fire truck or a total of not more than Fifty Thousand
Dollars ($50,000.00).

(b) The board of supervisors of the county shall submit
its request for the receipt of monies to the Department of
Insurance. A committee composed of the Commissioner of Insurance,
the State Fire Coordinator, the Director of the Rating Bureau and
the Director of the State Fire Academy shall review the requests
by the boards of supervisors and shall determine whether the
county or municipality for which the board of supervisors has
requested a truck meets the requirements of eligibility under this
chapter.
(c) To be eligible to receive monies under this
chapter:
(i) A county or municipality must pledge to set
aside or dedicate each year as matching funds, for a period not to
extend over ten (10) years, local funds in an amount equal to or
not less than one-tenth (1/10) of the amount of monies for which
it is requesting distribution from the Rural Fire Truck Fund,
which pledged monies may be derived from local ad valorem tax
authorized by law or from any other funds available to the county
or municipality, except for those funds received by municipalities
or counties from the Municipal Fire Protection Fund or the County
Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
83-1-39.
(ii) A municipality must provide adequate
documentation of its contract with the county that requires the
municipality to provide fire protection in rural areas. The term
"rural areas" means any area within the county located outside the
boundaries of an incorporated municipality or any incorporated
municipality with a population of two thousand five hundred
(2,500) or less.
(d) The Department of Insurance shall maintain an
accurate record of all monies distributed to counties and
municipalities and the number of fire trucks purchased and the
cost for each fire truck, such records to be kept separate from
other records of the Department of Insurance; notify counties and
municipalities of the rural fire truck acquisition assistance
program and the requirements for them to become eligible to
participate; adopt and promulgate such rules and regulations as
may be necessary and desirable to implement the provisions of this chapter; and file with the Legislature a report detailing how monies made available under this chapter were distributed and spent during the preceding portion of the fiscal year in each county and municipality, the number of fire trucks purchased, the counties and municipalities making such purchases and the cost of each fire truck purchased.

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