

By: Representatives Stevens, Reynolds

To: Insurance;
Appropriations

HOUSE BILL NO. 720
(As Sent to Governor)

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; AND FOR RELATED PURPOSES.

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

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

8 17-23-1. (1) There is established a rural fire truck
9 acquisition assistance program to be administered by the
10 Department of Insurance for the purpose of assisting counties and
11 municipalities in the acquisition of fire trucks.

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

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

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

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

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

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

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

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

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

61 the Director of the State Fire Academy shall review the requests
62 by the boards of supervisors and shall determine whether the
63 county or municipality for which the board of supervisors has
64 requested a truck meets the requirements of eligibility under this
65 chapter.

66 (c) To be eligible to receive monies under this
67 chapter:

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

79 (ii) A municipality must provide adequate
80 documentation of its contract with the county that requires the
81 municipality to provide fire protection in rural areas. The term
82 "rural areas" means any area within the county located outside the
83 boundaries of an incorporated municipality or any incorporated
84 municipality with a population of two thousand five hundred
85 (2,500) or less.

86 (d) The Department of Insurance shall maintain an
87 accurate record of all monies distributed to counties and
88 municipalities and the number of fire trucks purchased and the
89 cost for each fire truck, such records to be kept separate from
90 other records of the Department of Insurance; notify counties and
91 municipalities of the rural fire truck acquisition assistance
92 program and the requirements for them to become eligible to
93 participate; adopt and promulgate such rules and regulations as

94 may be necessary and desirable to implement the provisions of this
95 chapter; and file with the Legislature * * * a report detailing
96 how monies made available under this chapter were distributed and
97 spent during the preceding portion of the fiscal year in each
98 county and municipality, the number of fire trucks purchased, the
99 counties and municipalities making such purchases and the cost of
100 each fire truck purchased.

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