

By: Representative Stevens

To: Insurance;  
Appropriations

HOUSE BILL NO. 582

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

25 (3) (a) A county that meets the requirements provided  
26 herein may receive an amount not to exceed Three Hundred Fifty  
27 Thousand Dollars (\$350,000.00) as provided in subparagraphs (i),  
28 (ii), (iii), (iv), (v), (vi) and (vii) of this paragraph, and

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

34 (i) Any county that has not applied for a fire  
35 truck under this section is eligible to submit applications for  
36 seven (7) fire trucks at not more than Fifty Thousand Dollars  
37 (\$50,000.00) per truck or a total of Three Hundred Fifty Thousand  
38 Dollars (\$350,000.00).

39 (ii) Any county that has received one (1) fire  
40 truck under this section is eligible to submit applications for  
41 six (6) fire trucks at not more than Fifty Thousand Dollars  
42 (\$50,000.00) per truck or a total of Three Hundred Thousand  
43 Dollars (\$300,000.00).

44 (iii) Any county that has received two (2) fire  
45 trucks under this section is eligible to submit an application for  
46 five (5) fire trucks or a total of not more than Two Hundred Fifty  
47 Thousand Dollars (\$250,000.00).

48 (iv) Any county that has received three (3) fire  
49 trucks under this section is eligible to submit an application for  
50 four (4) fire trucks or a total of not more than Two Hundred  
51 Thousand Dollars (\$200,000.00).

52 (v) Any county that has received four (4) 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 (vi) Any county that has received five (5) 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 (\$100,00.00).

60 (vii) Any county that has received six (6) 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 a report detailing how  
103 monies made available under this chapter were distributed and  
104 spent during the preceding portion of the fiscal year in each  
105 county and municipality, the number of fire trucks purchased, the  
106 counties and municipalities making such purchases and the cost of  
107 each fire truck purchased.

108       **SECTION 2.** This act shall take effect and be in force from  
109 and after July 1, 2004.