

By: Representatives Stringer, Cummings,
Sullivan, Montgomery, Formby

To: County Affairs;
Appropriations

HOUSE BILL NO. 191

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE AN EIGHTH ROUND OF FIRE TRUCKS FOR COUNTIES AND
3 MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE
4 PROGRAM; 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. Unobligated amounts remaining in the Rural Fire Truck
23 Fund, Fund No. 3507, or in Fund No. 3508, or in Fund No. 3504, or
24 in any fund created for funds appropriated or otherwise made
25 available for this program, may be used as matching funds by any
26 county with remaining eligibility as provided herein. It is the
27 intent of the Legislature that the Department of Insurance

28 continue to accept applications from the counties for fire trucks
29 as provided in subsection (3) of this section.

30 (3) (a) A county that meets the requirements provided
31 herein may receive an amount not to exceed Four Hundred Forty
32 Thousand Dollars (\$440,000.00) as provided in subparagraphs (i),
33 (ii), (iii), (iv), (v), (vi), (vii) and (viii) of this paragraph,
34 and such amount shall be divided as follows: An amount of not
35 more than Fifty Thousand Dollars (\$50,000.00) per fire truck for
36 the first six (6) trucks and not more than Seventy Thousand
37 Dollars (\$70,000.00) per fire truck for the seventh and eighth
38 trucks. Monies distributed under this chapter shall be expended
39 only for the purchase of new fire trucks and such trucks must meet
40 the National Fire Protection Association (NFPA) standards in the
41 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 eight (8) fire trucks as follows: six (6) fire trucks at not more
45 than Fifty Thousand Dollars (\$50,000.00) per truck and two (2)
46 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)
47 per truck or a total of Four Hundred Forty Thousand Dollars
48 (\$440,000.00).

49 (ii) Any county that has received one (1) fire
50 truck under this section is eligible to submit applications for
51 seven (7) fire trucks as follows: five (5) fire trucks at not
52 more than Fifty Thousand Dollars (\$50,000.00) per truck and two
53 (2) fire trucks at not more than Seventy Thousand Dollars
54 (\$70,000.00) per truck or a total of Three Hundred Ninety Thousand
55 Dollars (\$390,000.00).

56 (iii) Any county that has received two (2) fire
57 trucks under this section is eligible to submit an application for
58 six (6) fire trucks as follows: four (4) fire trucks at not more
59 than Fifty Thousand Dollars (\$50,000.00) per truck and two (2)
60 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)

61 per truck or a total of not more than Three Hundred Forty Thousand
62 Dollars (\$340,000.00).

63 (iv) Any county that has received three (3) fire
64 trucks under this section is eligible to submit an application for
65 five (5) fire trucks as follows: three (3) fire trucks at not
66 more than Fifty Thousand Dollars (\$50,000.00) per truck and two
67 (2) fire trucks at not more than Seventy Thousand Dollars
68 (\$70,000.00) per truck or a total of not more than Two Hundred
69 Ninety Thousand Dollars (\$290,000.00).

70 (v) Any county that has received four (4) fire
71 trucks under this section is eligible to submit an application for
72 four (4) fire trucks as follows: two (2) fire trucks at not more
73 than Fifty Thousand Dollars (\$50,000.00) per truck and two (2)
74 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)
75 per truck or a total of not more than Two Hundred Forty Thousand
76 Dollars (\$240,000.00).

77 (vi) Any county that has received five (5) fire
78 trucks under this section is eligible to submit an application for
79 three (3) fire trucks as follows: one (1) fire truck at not more
80 than Fifty Thousand Dollars (\$50,000.00) per truck and two (2)
81 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)
82 per truck or a total of not more than One Hundred Ninety Thousand
83 Dollars (\$190,000.00).

84 (vii) Any county that has received six (6) fire
85 trucks under this section is eligible to submit an application for
86 two (2) fire trucks at not more than Seventy Thousand Dollars
87 (\$70,000.00) per truck or a total of not more than One Hundred
88 Forty Thousand Dollars (\$140,000.00).

89 (viii) Any county that has received seven (7) fire
90 trucks under this section is eligible to submit an application for
91 one (1) fire truck at not more than Seventy Thousand Dollars
92 (\$70,000.00).

93 (b) The board of supervisors of the county shall submit
94 its request for the receipt of monies to the Department of
95 Insurance. A committee composed of the Commissioner of Insurance,
96 the State Fire Coordinator, the Director of the Rating Bureau and
97 the Director of the State Fire Academy shall review the requests
98 by the boards of supervisors and shall determine whether the
99 county or municipality for which the board of supervisors has
100 requested a truck meets the requirements of eligibility under this
101 chapter.

102 (c) To be eligible to receive monies under this
103 chapter:

104 (i) A county or municipality must pledge to set
105 aside or dedicate each year as matching funds, for a period not to
106 extend over ten (10) years, local funds in an amount equal to or
107 not less than one-tenth (1/10) of the amount of monies for which
108 it is requesting distribution from the Rural Fire Truck Fund,
109 which pledged monies may be derived from local ad valorem tax
110 authorized by law or from any other funds available to the county
111 or municipality, except for those funds received by municipalities
112 or counties from the Municipal Fire Protection Fund or the County
113 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
114 83-1-39.

115 (ii) A municipality must provide adequate
116 documentation of its contract with the county that requires the
117 municipality to provide fire protection in rural areas. The term
118 "rural areas" means any area within the county located outside the
119 boundaries of an incorporated municipality or any incorporated
120 municipality with a population of two thousand five hundred
121 (2,500) or less.

122 (d) The Department of Insurance shall maintain an
123 accurate record of all monies distributed to counties and
124 municipalities and the number of fire trucks purchased and the
125 cost for each fire truck, such records to be kept separate from

126 other records of the Department of Insurance; notify counties and
127 municipalities of the rural fire truck acquisition assistance
128 program and the requirements for them to become eligible to
129 participate; adopt and promulgate such rules and regulations as
130 may be necessary and desirable to implement the provisions of this
131 chapter; and file with the Legislature a report detailing how
132 monies made available under this chapter were distributed and
133 spent during the preceding portion of the fiscal year in each
134 county and municipality, the number of fire trucks purchased, the
135 counties and municipalities making such purchases and the cost of
136 each fire truck purchased.

137 **SECTION 2.** This act shall take effect and be in force from
138 and after July 1, 2006.