

By: Representatives Byrd, Reynolds, Karriem, To: Ways and Means
Stamps, Bounds, Miles

HOUSE BILL NO. 842
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND
3 MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE
4 PROGRAM; TO CREATE A SPECIAL FUND TO BE DESIGNATED THE "RURAL FIRE
5 TRUCK MATCHING ASSISTANCE FUND" WHICH SHALL BE USED TO ASSIST
6 COUNTIES AND MUNICIPALITIES WITH REMAINING ELIGIBILITY UNDER THE
7 RURAL FIRE TRUCK ACQUISITION PROGRAM; TO PROVIDE THAT THE TOTAL
8 AMOUNT OF MATCHING ASSISTANCE SHALL NOT EXCEED 80% OF THE PURCHASE
9 PRICE OF THE RURAL FIRE TRUCK; TO PROVIDE THAT THE DEPARTMENT OF
10 INSURANCE MAY PROVIDE SUCH MATCHING ASSISTANCE TO COUNTIES AND
11 MUNICIPALITIES UPON MEETING CERTAIN CRITERIA; AND FOR RELATED
12 PURPOSES.

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

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

16 17-23-1. (1) There is established the Rural Fire Truck
17 Acquisition Assistance Program to be administered by the
18 Department of Insurance for the purpose of assisting counties and
19 municipalities in the acquisition of fire trucks.

20 (2) There is created in the State Treasury a special fund to
21 be designated as the "Rural Fire Truck Fund." The Legislature may
22 appropriate that amount necessary to fulfill the obligations
23 created under this section by the Department of Insurance, from



24 the State General Fund to such special fund, which sum shall be
25 added to the remainder of the money transferred on July 1, 1995,
26 and during the 1996 Regular Session to the Rural Fire Truck Fund.
27 Unexpended amounts remaining in the fund at the end of a fiscal
28 year shall not lapse into the State General Fund, and any interest
29 earned on amounts in the fund shall be deposited to the credit of
30 the fund. Unobligated amounts remaining in the Rural Fire Truck
31 Fund, Fund No. 3507, or in any fund created for funds appropriated
32 or otherwise made available for this program, may be used as
33 matching funds by any county with remaining eligibility as
34 provided herein. It is the intent of the Legislature that the
35 Department of Insurance continue to accept applications from the
36 counties for fire trucks as provided in subsection (3) of this
37 section.

38 (3) (a) A county that meets the requirements provided
39 herein may receive an amount not to exceed * * * One Million Ten
40 Thousand Dollars (\$1,010,000.00) as provided in subparagraphs (i),
41 (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi),
42 (xii) * * * and (xiii) * * * of this paragraph, and such amount
43 shall be divided as follows: an amount of not more than Fifty
44 Thousand Dollars (\$50,000.00) per fire truck for the first six (6)
45 trucks and not more than Seventy Thousand Dollars (\$70,000.00) per
46 fire truck for the seventh, eighth, ninth, tenth and eleventh
47 trucks, and not more than Ninety Thousand Dollars (\$90,000.00) per
48 fire truck for the twelfth, thirteenth * * *, fourteenth and



49 fifteenth truck. Monies distributed under this chapter shall be
50 expended only for the purchase of new or used fire trucks and such
51 trucks must meet the National Fire Protection Association (NFPA)
52 standards in the 1900 series and be approved by the Rural Fire
53 Truck Review Committee.

54 (i) Any county that has not applied for a fire
55 truck under this section is eligible to submit applications
56 for * * * fifteen (15) fire trucks as follows: six (6) fire
57 trucks at not more than Fifty Thousand Dollars (\$50,000.00) per
58 truck and five (5) fire trucks at not more than Seventy Thousand
59 Dollars (\$70,000.00) per truck, and * * * four (4) fire trucks at
60 not more than Ninety Thousand Dollars (\$90,000.00) per truck or a
61 total of * * * One Million Ten Thousand Dollars (\$1,010,000.00).

62 (ii) Any county that has received one (1) fire
63 truck under this section is eligible to submit applications
64 for * * * fourteen (14) fire trucks as follows: five (5) fire
65 trucks at not more than Fifty Thousand Dollars (\$50,000.00) per
66 truck and five (5) fire trucks at not more than Seventy Thousand
67 Dollars (\$70,000.00) per truck, and * * * four (4) fire trucks at
68 not more than Ninety Thousand Dollars (\$90,000.00) per truck or a
69 total of * * * Nine Hundred Sixty Thousand Dollars (\$960,000.00).

70 (iii) Any county that has received two (2) fire
71 trucks under this section is eligible to submit an application
72 for * * * thirteen (13) fire trucks as follows: four (4) fire
73 trucks at not more than Fifty Thousand Dollars (\$50,000.00) per



74 truck and five (5) fire trucks at not more than Seventy Thousand
75 Dollars (\$70,000.00) per truck, and * * * four (4) fire trucks at
76 not more than Ninety Thousand Dollars (\$90,000.00) per truck or a
77 total of not more than * * * Nine Hundred Ten Thousand Dollars
78 (\$910,000.00).

79 (iv) Any county that has received three (3) fire
80 trucks under this section is eligible to submit an application
81 for * * * twelve (12) fire trucks as follows: three (3) fire
82 trucks at not more than Fifty Thousand Dollars (\$50,000.00) per
83 truck and five (5) fire trucks at not more than Seventy Thousand
84 Dollars (\$70,000.00) per truck, and * * * four (4) fire trucks at
85 not more than Ninety Thousand Dollars (\$90,000.00) per truck or a
86 total of not more than * * * Eight Hundred Sixty Thousand Dollars
87 (\$860,000.00).

88 (v) Any county that has received four (4) fire
89 trucks under this section is eligible to submit an application
90 for * * * eleven (11) fire trucks as follows: two (2) fire trucks
91 at not more than Fifty Thousand Dollars (\$50,000.00) per truck and
92 five (5) fire trucks at not more than Seventy Thousand Dollars
93 (\$70,000.00) per truck, and * * * four (4) fire trucks at not more
94 than Ninety Thousand Dollars (\$90,000.00) per truck or a total of
95 not more than * * * Eight Hundred Ten Thousand Dollars
96 (\$810,000.00).

97 (vi) Any county that has received five (5) fire
98 trucks under this section is eligible to submit an application



99 for * * * ten (10) fire trucks as follows: one (1) fire truck at
100 not more than Fifty Thousand Dollars (\$50,000.00) per truck and
101 five (5) fire trucks at not more than Seventy Thousand Dollars
102 (\$70,000.00) per truck, and * * * four (4) fire trucks at not more
103 than Ninety Thousand Dollars (\$90,000.00) per truck or a total of
104 not more than * * * Seven Hundred Sixty Thousand Dollars
105 (\$760,000.00).

106 (vii) Any county that has received six (6) fire
107 trucks under this section is eligible to submit an application
108 for * * * nine (9) fire trucks as follows: five (5) fire trucks
109 at not more than Seventy Thousand Dollars (\$70,000.00) per truck,
110 and * * * four (4) fire trucks at not more than Ninety Thousand
111 Dollars (\$90,000.00) per truck or a total of not more than * * *
112 Seven Hundred Ten Thousand Dollars (\$710,000.00).

113 (viii) Any county that has received seven (7) fire
114 trucks under this section is eligible to submit an application
115 for * * * eight (8) fire trucks as follows: four (4) fire trucks
116 at not more than Seventy Thousand Dollars (\$70,000.00) per truck,
117 and * * * four (4) fire trucks at not more than Ninety Thousand
118 Dollars (\$90,000.00) per truck or a total of not more than * * *
119 Six Hundred Forty Thousand Dollars (\$640,000.00).

120 (ix) Any county that has received eight (8) fire
121 trucks under this section is eligible to submit an application
122 for * * * seven (7) fire trucks as follows: three (3) fire trucks
123 at not more than Seventy Thousand Dollars (\$70,000.00) per truck,



124 and * * * four (4) fire trucks at not more than Ninety Thousand
125 Dollars (\$90,000.00) per truck or a total of not more than * * *
126 Five Hundred Seventy Thousand Dollars (\$570,000.00).

127 (x) Any county that has received nine (9) fire
128 trucks under this section is eligible to submit an application
129 for * * * six (6) fire trucks as follows: two (2) fire trucks at
130 not more than Seventy Thousand Dollars (\$70,000.00) per truck,
131 and * * * four (4) fire trucks at not more than Ninety Thousand
132 Dollars (\$90,000.00) per truck or a total of not more than * * *
133 Five Hundred Thousand Dollars (\$500,000.00).

134 (xi) Any county that has received ten (10) fire
135 trucks under this section is eligible to submit an application
136 for * * * five (5) fire trucks as follows: one (1) fire truck at
137 not more than Seventy Thousand Dollars (\$70,000.00) per truck,
138 and * * * four (4) fire trucks at not more than Ninety Thousand
139 Dollars (\$90,000.00) per truck or a total of not more than * * *
140 Four Hundred Thirty Thousand Dollars (\$430,000.00).

141 (xii) Any county that has received eleven (11)
142 fire trucks under this section is eligible to submit an
143 application for * * * four (4) fire trucks at not more than Ninety
144 Thousand Dollars (\$90,000.00) per truck.

145 (xiii) Any county may apply for * * * four (4)
146 fire trucks at not more than Ninety Thousand Dollars (\$90,000.00)
147 per truck as provided in subparagraph (xii), provided that the
148 county agrees to forego any previous fire truck under



149 subparagraphs (i) through (xi) for which the county has not
150 previously applied, and that the county has received approval from
151 the Rural Fire Truck Acquisition Assistance Program Committee to
152 apply for and receive a truck under subparagraph (xii).

153 (b) The board of supervisors of the county shall submit
154 its request for the receipt of monies to the Department of
155 Insurance. A committee composed of the Commissioner of Insurance,
156 the State Fire Coordinator, the Director of the Rating Bureau and
157 the Director of the State Fire Academy shall review the requests
158 by the boards of supervisors and shall determine whether the
159 county or municipality for which the board of supervisors has
160 requested a truck meets the requirements of eligibility under this
161 chapter.

162 (c) To be eligible to receive monies under this
163 chapter:

164 (i) A county or municipality must pledge to set
165 aside or dedicate each year as matching funds, for a period not to
166 extend over ten (10) years, local funds in an amount equal to or
167 not less than one-tenth (1/10) of the amount of monies for which
168 it is requesting distribution from the Rural Fire Truck Fund,
169 which pledged monies may be derived from local ad valorem tax
170 authorized by law or from any other funds available to the county
171 or municipality, except for those funds received by municipalities
172 or counties from the Municipal Fire Protection Fund or the County



173 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
174 83-1-39.

175 (ii) A municipality must provide adequate
176 documentation of its contract with the county that requires the
177 municipality to provide fire protection in rural areas. The term
178 "rural areas" means any area within the county located outside the
179 boundaries of an incorporated municipality or any incorporated
180 municipality with a population of two thousand five hundred
181 (2,500) or less.

182 (d) The Department of Insurance shall maintain an
183 accurate record of all monies distributed to counties and
184 municipalities and the number of fire trucks purchased and the
185 cost for each fire truck, such records to be kept separate from
186 other records of the Department of Insurance; notify counties and
187 municipalities of the Rural Fire Truck Acquisition Assistance
188 Program and the requirements for them to become eligible to
189 participate; adopt and promulgate such rules and regulations as
190 may be necessary and desirable to implement the provisions of this
191 chapter; and file with the Legislature a report detailing how
192 monies made available under this chapter were distributed and
193 spent during the preceding portion of the fiscal year in each
194 county and municipality, the number of fire trucks purchased, the
195 counties and municipalities making such purchases, and the cost of
196 each fire truck purchased.



197 (4) There is created in the State Treasury a special fund to
198 be designated as the "Rural Fire Truck Matching Assistance Fund,"
199 which shall consist of funds appropriated by the Legislature from
200 the State General Fund or any other special source fund. The
201 Department of Insurance shall use the funds for matching
202 assistance to counties and municipalities with remaining
203 eligibility in accordance with the provisions of subsection (5) of
204 this section. Unexpended amounts remaining in the fund at the end
205 of a fiscal year shall not lapse into the State General Fund, and
206 any interest earned on amounts in the fund shall be deposited to
207 the credit of the fund.

208 (5) Subject to appropriation by the Legislature, the
209 Department of Insurance may provide funds to counties and
210 municipalities out of the Rural Fire Truck Matching Assistance
211 Fund in an amount exceeding the amount authorized in subsection
212 (3) of this section. However, the total amount of funds allowed
213 under this subsection combined with the funds provided in
214 subsection (3) of this section shall not exceed eighty percent
215 (80%) of the purchase price of the rural fire truck. A county or
216 municipality is eligible for such matching assistance upon meeting
217 the following criteria:

218 (a) The county or municipality's application is
219 approved for funding in accordance with the criteria in subsection
220 (3) of this section;



221 (b) The department determines that the county or
222 municipality does not have sufficient funds available for the
223 purchase of a rural fire truck with the funds authorized in
224 subsection (3) of this section; and

225 (c) The county has received funding for no more than
226 eight (8) rounds from the Rural Fire Truck Acquisition Assistance
227 Program.

228 **SECTION 2.** This act shall take effect and be in force from
229 and after July 1, 2022.

