

Senate Amendments to House Bill No. 842

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

14 17-23-1. (1) There is established the Rural Fire Truck
15 Acquisition Assistance Program to be administered by the
16 Department of Insurance for the purpose of assisting counties and
17 municipalities in the acquisition of fire trucks.

18 (2) There is created in the State Treasury a special fund to
19 be designated as the "Rural Fire Truck Fund." The Legislature may
20 appropriate that amount necessary to fulfill the obligations
21 created under this section by the Department of Insurance, from
22 the State General Fund to such special fund, which sum shall be
23 added to the remainder of the money transferred on July 1, 1995,
24 and during the 1996 Regular Session to the Rural Fire Truck Fund.
25 Unexpended amounts remaining in the fund at the end of a fiscal
26 year shall not lapse into the State General Fund, and any interest
27 earned on amounts in the fund shall be deposited to the credit of
28 the fund. Unobligated amounts remaining in the Rural Fire Truck

29 Fund, Fund No. 3507, or in any fund created for funds appropriated
30 or otherwise made available for this program, may be used as
31 matching funds by any county with remaining eligibility as
32 provided herein. It is the intent of the Legislature that the
33 Department of Insurance continue to accept applications from the
34 counties for fire trucks as provided in subsection (3) of this
35 section.

36 (3) (a) A county that meets the requirements provided
37 herein may receive an amount not to exceed Nine Hundred Twenty
38 Thousand Dollars (\$920,000.00) as provided in subparagraphs (i),
39 (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi),
40 (xii), (xiii) and (xiv) of this paragraph, and such amount shall
41 be divided as follows: an amount of not more than Fifty Thousand
42 Dollars (\$50,000.00) per fire truck for the first six (6) trucks
43 and not more than Seventy Thousand Dollars (\$70,000.00) per fire
44 truck for the seventh, eighth, ninth, tenth and eleventh trucks,
45 and not more than Ninety Thousand Dollars (\$90,000.00) per fire
46 truck for the twelfth, thirteenth and fourteenth truck. Monies
47 distributed under this chapter shall be expended only for the
48 purchase of new fire trucks and such trucks must meet the National
49 Fire Protection Association (NFPA) standards in the 1900 series.

50 (i) Any county that has not applied for a fire
51 truck under this section is eligible to submit applications
52 for fourteen (14) fire trucks as follows: six (6) fire trucks at
53 not more than Fifty Thousand Dollars (\$50,000.00) per truck and
54 five (5) fire trucks at not more than Seventy Thousand Dollars

55 (\$70,000.00) per truck, and three (3) fire trucks at not more than
56 Ninety Thousand Dollars (\$90,000.00) per truck or a total of Nine
57 Hundred Twenty Thousand Dollars (\$920,000.00).

58 (ii) Any county that has received one (1) fire
59 truck under this section is eligible to submit applications for
60 thirteen (13) fire trucks as follows: five (5) fire trucks at not
61 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
62 (5) fire trucks at not more than Seventy Thousand Dollars
63 (\$70,000.00) per truck, and three (3) fire trucks at not more than
64 Ninety Thousand Dollars (\$90,000.00) per truck or a total of Eight
65 Hundred Seventy Thousand Dollars (\$870,000.00).

66 (iii) Any county that has received two (2) fire
67 trucks under this section is eligible to submit an application for
68 twelve (12) fire trucks as follows: four (4) fire trucks at not
69 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
70 (5) fire trucks at not more than Seventy Thousand Dollars
71 (\$70,000.00) per truck, and three (3) fire trucks at not more than
72 Ninety Thousand Dollars (\$90,000.00) per truck or a total of not
73 more than Eight Hundred Twenty Thousand Dollars (\$820,000.00).

74 (iv) Any county that has received three (3) fire
75 trucks under this section is eligible to submit an application for
76 eleven (11) fire trucks as follows: three (3) fire trucks at not
77 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
78 (5) fire trucks at not more than Seventy Thousand Dollars
79 (\$70,000.00) per truck, and three (3) fire trucks at not more than

80 Ninety Thousand Dollars (\$90,000.00) per truck or a total of not
81 more than Seven Hundred Seventy Thousand Dollars (\$770,000.00).

82 (v) Any county that has received four (4) fire
83 trucks under this section is eligible to submit an application for
84 ten (10) fire trucks as follows: two (2) fire trucks at not more
85 than Fifty Thousand Dollars (\$50,000.00) per truck and five (5)
86 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)
87 per truck, and three (3) fire trucks at not more than Ninety
88 Thousand Dollars (\$90,000.00) per truck or a total of not more
89 than Seven Hundred Twenty Thousand Dollars (\$720,000.00).

90 (vi) Any county that has received five (5) fire
91 trucks under this section is eligible to submit an application for
92 nine (9) fire trucks as follows: one (1) fire truck at not more
93 than Fifty Thousand Dollars (\$50,000.00) per truck and five (5)
94 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)
95 per truck, and three (3) fire trucks at not more than Ninety
96 Thousand Dollars (\$90,000.00) per truck or a total of not more
97 than Six Hundred Seventy Thousand Dollars (\$670,000.00).

98 (vii) Any county that has received six (6) fire
99 trucks under this section is eligible to submit an application for
100 eight (8) fire trucks as follows: five (5) fire trucks at not
101 more than Seventy Thousand Dollars (\$70,000.00) per truck, and
102 three (3) fire trucks at not more than Ninety Thousand Dollars
103 (\$90,000.00) per truck or a total of not more than Six Hundred
104 Twenty Thousand Dollars (\$620,000.00).

105 (viii) Any county that has received seven (7) fire
106 trucks under this section is eligible to submit an application for
107 seven (7) fire trucks as follows: four (4) fire trucks at not
108 more than Seventy Thousand Dollars (\$70,000.00) per truck, and
109 three (3) fire trucks at not more than Ninety Thousand Dollars
110 (\$90,000.00) per truck or a total of not more than Five Hundred
111 Fifty Thousand Dollars (\$550,000.00).

112 (ix) Any county that has received eight (8) fire
113 trucks under this section is eligible to submit an application for
114 six (6) fire trucks as follows: three (3) fire trucks at not more
115 than Seventy Thousand Dollars (\$70,000.00) per truck, and three
116 (3) fire trucks at not more than Ninety Thousand Dollars
117 (\$90,000.00) per truck or a total of not more than Four Hundred
118 Eighty Thousand Dollars (\$480,000.00).

119 (x) Any county that has received nine (9) fire
120 trucks under this section is eligible to submit an application for
121 five (5) fire trucks as follows: two (2) fire trucks at not more
122 than Seventy Thousand Dollars (\$70,000.00) per truck, and three
123 (3) fire trucks at not more than Ninety Thousand Dollars
124 (\$90,000.00) per truck or a total of not more than Four Hundred
125 Ten Thousand Dollars (\$410,000.00).

126 (xi) Any county that has received ten (10) fire
127 trucks under this section is eligible to submit an application for
128 four (4) fire trucks as follows: one (1) fire truck at not more
129 than Seventy Thousand Dollars (\$70,000.00) per truck, and three
130 (3) fire trucks at not more than Ninety Thousand Dollars

131 (\$90,000.00) per truck or a total of not more than Three Hundred
132 Forty Thousand Dollars (\$340,000.00).

133 (xii) Any county that has received eleven (11)
134 fire trucks under this section is eligible to submit an
135 application for three (3) fire trucks at not more than Ninety
136 Thousand Dollars (\$90,000.00) per truck.

137 (xiii) Any county may apply for three (3) fire
138 trucks at not more than Ninety Thousand Dollars (\$90,000.00) per
139 truck as provided in subparagraph (xii), provided that the county
140 agrees to forego any previous fire truck under subparagraphs (i)
141 through (xi) for which the county has not previously applied, and
142 that the county has received approval from the Rural Fire Truck
143 Acquisition Assistance Program Committee to apply for and receive
144 a truck under subparagraph (xii).

145 (b) The board of supervisors of the county shall submit
146 its request for the receipt of monies to the Department of
147 Insurance. A committee composed of the Commissioner of Insurance,
148 the State Fire Coordinator, the Director of the Rating Bureau and
149 the Director of the State Fire Academy shall review the requests
150 by the boards of supervisors and shall determine whether the
151 county or municipality for which the board of supervisors has
152 requested a truck meets the requirements of eligibility under this
153 chapter.

154 (c) To be eligible to receive monies under this
155 chapter:

156 (i) A county or municipality must pledge to set
157 aside or dedicate each year as matching funds, for a period not to
158 extend over ten (10) years, local funds in an amount equal to or
159 not less than one-tenth (1/10) of the amount of monies for which
160 it is requesting distribution from the Rural Fire Truck Fund,
161 which pledged monies may be derived from local ad valorem tax
162 authorized by law or from any other funds available to the county
163 or municipality, except for those funds received by municipalities
164 or counties from the Municipal Fire Protection Fund or the County
165 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
166 83-1-39.

167 (ii) A municipality must provide adequate
168 documentation of its contract with the county that requires the
169 municipality to provide fire protection in rural areas. The term
170 "rural areas" means any area within the county located outside the
171 boundaries of an incorporated municipality or any incorporated
172 municipality with a population of two thousand five hundred
173 (2,500) or less.

174 (d) The Department of Insurance shall maintain an
175 accurate record of all monies distributed to counties and
176 municipalities and the number of fire trucks purchased and the
177 cost for each fire truck, such records to be kept separate from
178 other records of the Department of Insurance; notify counties and
179 municipalities of the Rural Fire Truck Acquisition Assistance
180 Program and the requirements for them to become eligible to
181 participate; adopt and promulgate such rules and regulations as

182 may be necessary and desirable to implement the provisions of this
183 chapter; and file with the Legislature a report detailing how
184 monies made available under this chapter were distributed and
185 spent during the preceding portion of the fiscal year in each
186 county and municipality, the number of fire trucks purchased, the
187 counties and municipalities making such purchases, and the cost of
188 each fire truck purchased.

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

200 (5) Subject to appropriation by the Legislature, the
201 Department of Insurance may provide funds to counties and
202 municipalities out of the Rural Fire Truck Matching Assistance
203 Fund in an amount exceeding the amount authorized in subsection
204 (3) of this section. However, the total amount of funds allowed
205 under this subsection combined with the funds provided in
206 subsection (3) of this section shall not exceed eighty percent
207 (80%) of the purchase price of the rural fire truck. A county or

208 municipality is eligible for such matching assistance upon meeting
209 the following criteria:

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

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

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

220 **SECTION 2.** This act shall take effect and be in force from
221 and after July 1, 2022, and shall stand repealed on June 30, 2022.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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

SS26\HB842A.1J

Eugene S. Clarke
Secretary of the Senate