

By: Representatives Scoggin, Rushing,
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To: Insurance;
Appropriations

HOUSE BILL NO. 521
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE MISSISSIPPI INSURANCE DEPARTMENT TO
2 CREATE THE MISSISSIPPI LENGTH-OF-SERVICE AWARD PROGRAM (LOSAP) FOR
3 THE RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS; TO
4 PROVIDE THAT THE PROGRAM WILL PROVIDE PAID LENGTH-OF-SERVICE
5 AWARDS TO ELIGIBLE VOLUNTEER FIREFIGHTERS; TO PROVIDE DEFINITIONS;
6 TO PROVIDE THAT THE LOSAP SHALL BE ADMINISTERED BY THE MISSISSIPPI
7 LENGTH-OF-SERVICE AWARD PROGRAM BOARD OF TRUSTEES AND TO PROVIDE
8 THE MEMBERS WHO WILL SERVE ON THE BOARD; TO PROVIDE THE POWERS AND
9 DUTIES OF THE LOSAP BOARD OF TRUSTEES; TO CREATE THE "MISSISSIPPI
10 VOLUNTEER FIREFIGHTER LENGTH-OF-SERVICE AWARDS PROGRAM FUND"
11 (LOSAP FUND) MAINTAINED BY THE STATE TREASURER AND TO PROVIDE WHAT
12 MONIES IN THE FUND MAY BE USED FOR; TO PROVIDE THAT THE
13 MISSISSIPPI INSURANCE DEPARTMENT SHALL NOTIFY THE STATE FIRE
14 MARSHAL AND THE LOSAP BOARD OF TRUSTEES OF ANY VOLUNTEER FIRE
15 DEPARTMENT MEMBER WHO IS INELIGIBLE TO RECEIVE THE LOSAP FUNDS;
16 AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** (1) The Mississippi Insurance Department shall
19 establish the Mississippi Length-of-Service Award Program (LOSAP)
20 for the recruitment and the retention of volunteer firefighters.
21 Such program shall provide paid Length-of-Service Awards to
22 eligible volunteer firefighters and shall be open to all
23 Mississippi volunteer fire department members.



24 (2) The following words and phrases shall have the meanings
25 as defined in this section unless the context clearly indicates
26 otherwise:

27 (a) "Length-of-Service Award Program" means a program
28 to provide paid length-of-service awards to eligible volunteer
29 firefighters.

30 (b) "Eligible volunteer firefighter" means a bona fide
31 volunteer firefighter who is registered with the State of
32 Mississippi or a political subdivision thereof and is an active
33 part-time or on-call member of a volunteer fire department or a
34 volunteer firefighter. Eligible volunteer firefighter shall not
35 include full-time firefighters or career firefighters unless such
36 firefighters are also active eligible volunteer firefighters when
37 they are not acting as full-time or career firefighters and meet
38 all other required qualifications as provided by the Mississippi
39 Length-of-Service Award Program Board of Trustees in collaboration
40 with the Mississippi Insurance Department.

41 (c) "Defined contribution" means the predefined
42 contribution that the Mississippi Length-of-Service Award Program
43 Board of Trustees in collaboration with the Mississippi Insurance
44 Department establishes as a yearly contribution to an eligible
45 volunteer firefighter's LOSAP account.

46 (3) (a) The LOSAP shall be administered by the Mississippi
47 Length-of-Service Award Program Board of Trustees, which shall be
48 comprised of the following members:



- 49 (i) The Commissioner of Insurance, or his or her
50 designee;
- 51 (ii) The State Fire Coordinator, or his or her
52 designee;
- 53 (iii) The State Treasurer, or his or her designee;
- 54 (iv) One (1) member from the state at large
55 appointed by the Governor; and
- 56 (v) One (1) member from the state at large
57 appointed by the Lieutenant Governor.

58 (b) The LOSAP Board of Trustees, in collaboration with
59 the Mississippi Insurance Department, shall have the following
60 powers and duties:

- 61 (i) Establish a points system to be awarded to
62 volunteer firefighters for their performance of certain activities
63 as determined by the board and award LOSAP service credit based
64 upon that points system;
- 65 (ii) Create a list of the activities that points
66 will be awarded for. Such list shall include, at a minimum, the
67 number of emergency and nonemergency calls responded to by the
68 volunteer member; the activities and training of each member as
69 determined on an annual basis; and the volunteer fire department
70 members eligible time to be considered as an active member of the
71 department before the establishment of the LOSAP on July 1, 2023;
- 72 (iii) Determine the annual contribution to each
73 volunteer's LOSAP account; and



74 (iv) Promulgate any rules and regulations as
75 necessary to implement the provisions of this section. All such
76 rules and regulations shall be in compliance with Section
77 457(e)(11) of the United States Internal Revenue Code.

78 (4) There is hereby created in the State Treasury a special
79 fund to be known as the "Mississippi Volunteer Firefighter
80 Length-of-Service Awards Program Fund" (LOSAP Fund) to be
81 maintained by the State Treasurer. The Treasurer of the State of
82 Mississippi may invest the monies deposited in the special fund.
83 The amounts to be invested shall be determined by the Treasurer
84 and shall be in the approximate amount of the total monies
85 deposited in said special fund less the anticipated withdrawals
86 and disbursements from the Mississippi Length-of-Service Award
87 Program to be made within the following ninety-day period. Such
88 funds shall be invested by said Treasurer in short-term bonds,
89 Treasury Bills, or other direct obligations of the United States
90 of America, or any national or state banks in the State of
91 Mississippi. Monies in the fund shall first be used for the
92 purpose of providing retirement benefits as a defined contribution
93 to volunteer firefighters for the purpose of recruiting and
94 retaining volunteer firefighters as provided in this section. Any
95 other unexpended amounts remaining in the fund at the end of a
96 fiscal year shall not lapse into the State General Fund, and any
97 interest earned on amounts in the fund shall be deposited to the
98 credit of the fund.



99 (5) The Mississippi Insurance Department shall notify the
100 Mississippi Length-of-Service Award Program Board of Trustees and
101 the State Fire Marshal of any volunteer fire department member
102 that is ineligible to receive LOSAP funds due to the member or
103 department's failure to file required documentation or financial
104 reports or failure to comply with an audit or review by the
105 Mississippi Insurance Department. A volunteer fire department
106 member or department reported by the Mississippi Insurance
107 Department shall be ineligible to receive funds under this section
108 until the Mississippi Insurance Department notifies the
109 Mississippi Length-of-Service Award Program Board of Trustees and
110 the State Fire Marshal that the volunteer member or department has
111 come into compliance.

112 (6) A member of the Mississippi Length-of-Service Award
113 Program may receive the funds allocated on their behalf to the
114 program upon their withdrawal from the program.

115 (7) The Mississippi Length-of-Service Award Program may
116 allocate a maximum of Five Hundred Dollars (\$500.00) in yearly
117 defined contributions to each member's LOSAP account.

118 (8) The provisions of this section shall stand repealed on
119 July 1, 2026.

120 **SECTION 2.** This act shall take effect and be in force from
121 and after July 1, 2023.

