

By: Representatives Hale, Anthony, Hall,
Keen, McCray

To: Insurance;
Appropriations A

HOUSE BILL NO. 1151

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 REMOVE THE REQUIREMENT THAT A COUNTY HAS RECEIVED
5 FUNDING FOR NO MORE THAN EIGHT ROUNDS FROM THE RURAL TRUCK
6 ACQUISITION ASSISTANCE PROGRAM IN ORDER TO RECEIVE ADDITIONAL
7 MATCHING ASSISTANCE UNDER THE PROGRAM; AND FOR RELATED PURPOSES.

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

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

11 17-23-1. (1) There is established the Rural Fire Truck
12 Acquisition Assistance Program to be administered by the
13 Department of Insurance for the purpose of assisting counties and
14 municipalities in the acquisition of fire trucks.

15 (2) There is created in the State Treasury a special fund to
16 be designated as the "Rural Fire Truck Fund." The Legislature may
17 appropriate that amount necessary to fulfill the obligations
18 created under this section by the Department of Insurance, from
19 the State General Fund to such special fund, which sum shall be
20 added to the remainder of the money transferred on July 1, 1995,



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

33 (3) (a) A county that meets the requirements provided
34 herein may receive an amount not to exceed * * * One Million One
35 Hundred Thousand Dollars (\$1,100,000.00) as provided in
36 subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii),
37 (ix), (x), (xi), (xii) and (xiii) of this paragraph, and such
38 amount shall be divided as follows: an amount of not more than
39 Fifty Thousand Dollars (\$50,000.00) per fire truck for the first
40 six (6) trucks and not more than Seventy Thousand Dollars
41 (\$70,000.00) per fire truck for the seventh, eighth, ninth, tenth
42 and eleventh trucks, and not more than Ninety Thousand Dollars
43 (\$90,000.00) per fire truck for the twelfth, thirteenth,
44 fourteenth * * *, fifteenth and sixteenth truck. Monies
45 distributed under this chapter shall be expended only for the



46 purchase of new or used fire trucks and such trucks must meet the
47 National Fire Protection Association (NFPA) standards in the 1900
48 series and be approved by the Rural Fire Truck Review Committee.

49 (i) Any county that has not applied for a fire
50 truck under this section is eligible to submit applications
51 for * * * sixteen (16) fire trucks as follows: six (6) fire
52 trucks at not more than Fifty Thousand Dollars (\$50,000.00) per
53 truck and five (5) fire trucks at not more than Seventy Thousand
54 Dollars (\$70,000.00) per truck, and * * * five (5) fire trucks at
55 not more than Ninety Thousand Dollars (\$90,000.00) per truck or a
56 total of * * * One Million One Hundred Thousand Dollars
57 (\$1,100,000.00).

58 (ii) Any county that has received one (1) fire
59 truck under this section is eligible to submit applications
60 for * * * fifteen (15) fire trucks as follows: five (5) fire
61 trucks at not more than Fifty Thousand Dollars (\$50,000.00) per
62 truck and five (5) fire trucks at not more than Seventy Thousand
63 Dollars (\$70,000.00) per truck, and * * * five (5) fire trucks at
64 not more than Ninety Thousand Dollars (\$90,000.00) per truck or a
65 total of * * * One Million Fifty Thousand Dollars (\$1,050,000.00).

66 (iii) Any county that has received two (2) fire
67 trucks under this section is eligible to submit an application
68 for * * * fourteen (14) fire trucks as follows: four (4) fire
69 trucks at not more than Fifty Thousand Dollars (\$50,000.00) per
70 truck and five (5) fire trucks at not more than Seventy Thousand



71 Dollars (\$70,000.00) per truck, and * * * five (5) fire trucks at
72 not more than Ninety Thousand Dollars (\$90,000.00) per truck or a
73 total of not more than * * * One Million Dollars (\$1,000,000.00).

74 (iv) Any county that has received three (3) fire
75 trucks under this section is eligible to submit an application
76 for * * * thirteen (13) fire trucks as follows: three (3) fire
77 trucks at not more than Fifty Thousand Dollars (\$50,000.00) per
78 truck and five (5) fire trucks at not more than Seventy Thousand
79 Dollars (\$70,000.00) per truck, and * * * five (5) fire trucks at
80 not more than Ninety Thousand Dollars (\$90,000.00) per truck or a
81 total of not more than * * * Nine Hundred Fifty Thousand Dollars
82 (\$950,000.00).

83 (v) Any county that has received four (4) fire
84 trucks under this section is eligible to submit an application
85 for * * * twelve (12) fire trucks as follows: two (2) fire trucks
86 at not more than Fifty Thousand Dollars (\$50,000.00) per truck and
87 five (5) fire trucks at not more than Seventy Thousand Dollars
88 (\$70,000.00) per truck, and * * * five (5) fire trucks at not more
89 than Ninety Thousand Dollars (\$90,000.00) per truck or a total of
90 not more than * * * Nine Hundred Thousand Dollars (\$900,000.00).

91 (vi) Any county that has received five (5) fire
92 trucks under this section is eligible to submit an application
93 for * * * eleven (11) fire trucks as follows: one (1) fire truck
94 at not more than Fifty Thousand Dollars (\$50,000.00) per truck and
95 five (5) fire trucks at not more than Seventy Thousand Dollars



96 (\$70,000.00) per truck, and * * * five (5) fire trucks at not more
97 than Ninety Thousand Dollars (\$90,000.00) per truck or a total of
98 not more than * * * Eight Hundred Fifty Thousand Dollars
99 (\$850,000.00).

100 (vii) Any county that has received six (6) fire
101 trucks under this section is eligible to submit an application
102 for * * * ten (10) fire trucks as follows: five (5) fire trucks
103 at not more than Seventy Thousand Dollars (\$70,000.00) per truck,
104 and * * * five (5) fire trucks at not more than Ninety Thousand
105 Dollars (\$90,000.00) per truck or a total of not more than * * *
106 Eight Hundred Thousand Dollars (\$800,000.00).

107 (viii) Any county that has received seven (7) fire
108 trucks under this section is eligible to submit an application
109 for * * * nine (9) fire trucks as follows: four (4) fire trucks
110 at not more than Seventy Thousand Dollars (\$70,000.00) per truck,
111 and * * * five (5) fire trucks at not more than Ninety Thousand
112 Dollars (\$90,000.00) per truck or a total of not more than * * *
113 Seven Hundred Thirty Thousand Dollars (\$730,000.00).

114 (ix) Any county that has received eight (8) fire
115 trucks under this section is eligible to submit an application
116 for * * * eight (8) fire trucks as follows: three (3) fire trucks
117 at not more than Seventy Thousand Dollars (\$70,000.00) per truck,
118 and * * * five (5) fire trucks at not more than Ninety Thousand
119 Dollars (\$90,000.00) per truck or a total of not more than * * *
120 Six Hundred Sixty Thousand Dollars (\$660,000.00).



121 (x) Any county that has received nine (9) fire
122 trucks under this section is eligible to submit an application
123 for * * * seven (7) fire trucks as follows: two (2) fire trucks
124 at not more than Seventy Thousand Dollars (\$70,000.00) per truck,
125 and * * * five (5) fire trucks at not more than Ninety Thousand
126 Dollars (\$90,000.00) per truck or a total of not more than * * *
127 Five Hundred Ninety Thousand Dollars (\$590,000.00).

128 (xi) Any county that has received ten (10) fire
129 trucks under this section is eligible to submit an application
130 for * * * six (6) fire trucks as follows: one (1) fire truck at
131 not more than Seventy Thousand Dollars (\$70,000.00) per truck,
132 and * * * five (5) fire trucks at not more than Ninety Thousand
133 Dollars (\$90,000.00) per truck or a total of not more than * * *
134 Five Hundred Twenty Thousand Dollars (\$520,000.00).

135 (xii) Any county that has received eleven (11)
136 fire trucks under this section is eligible to submit an
137 application for * * * five (5) fire trucks at not more than Ninety
138 Thousand Dollars (\$90,000.00) per truck.

139 (xiii) Any county may apply for * * * five (5)
140 fire trucks at not more than Ninety Thousand Dollars (\$90,000.00)
141 per truck as provided in subparagraph (xii), provided that the
142 county agrees to forego any previous fire truck under
143 subparagraphs (i) through (xi) for which the county has not
144 previously applied, and that the county has received approval from



145 the Rural Fire Truck Acquisition Assistance Program Committee to
146 apply for and receive a truck under subparagraph (xii).

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

156 (c) To be eligible to receive monies under this
157 chapter:

158 (i) A county or municipality must pledge to set
159 aside or dedicate each year as matching funds, for a period not to
160 extend over ten (10) years, local funds in an amount equal to or
161 not less than one-tenth (1/10) of the amount of monies for which
162 it is requesting distribution from the Rural Fire Truck Fund,
163 which pledged monies may be derived from local ad valorem tax
164 authorized by law or from any other funds available to the county
165 or municipality, except for those funds received by municipalities
166 or counties from the Municipal Fire Protection Fund or the County
167 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
168 83-1-39.



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

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

191 (4) There is created in the State Treasury a special fund to
192 be designated as the "Rural Fire Truck Matching Assistance Fund,"
193 which shall consist of funds appropriated by the Legislature from



194 the State General Fund or any other special source fund. The
195 Department of Insurance shall use the funds for matching
196 assistance to counties and municipalities with remaining
197 eligibility in accordance with the provisions of subsection (5) of
198 this section. Unexpended amounts remaining in the fund at the end
199 of a fiscal year shall not lapse into the State General Fund, and
200 any interest earned on amounts in the fund shall be deposited to
201 the credit of the fund.

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

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

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



219 * * *

220 **SECTION 2.** This act shall take effect and be in force from
221 and after July 1, 2024.

