

By: Representatives Carpenter, Blackwell,
Eubanks

To: Insurance

HOUSE BILL NO. 1215

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE REQUIREMENT THAT A COUNTY HAS RECEIVED FUNDING FOR NO
3 MORE THAN EIGHT ROUNDS FROM THE RURAL FIRE TRUCK ACQUISITION
4 ASSISTANCE PROGRAM IN ORDER TO RECEIVE ADDITIONAL MATCHING
5 ASSISTANCE UNDER THE PROGRAM; AND FOR RELATED PURPOSES.

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

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

9 17-23-1. (1) There is established the Rural Fire Truck
10 Acquisition Assistance Program to be administered by the
11 Department of Insurance for the purpose of assisting counties and
12 municipalities in the acquisition of fire trucks.

13 (2) There is created in the State Treasury a special fund to
14 be designated as the "Rural Fire Truck Fund." The Legislature may
15 appropriate that amount necessary to fulfill the obligations
16 created under this section by the Department of Insurance, from
17 the State General Fund to such special fund, which sum shall be
18 added to the remainder of the money transferred on July 1, 1995,
19 and during the 1996 Regular Session to the Rural Fire Truck Fund.



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

31 (3) (a) A county that meets the requirements provided
32 herein may receive an amount not to exceed One Million Ten
33 Thousand Dollars (\$1,010,000.00) as provided in subparagraphs (i),
34 (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi),
35 (xii) and (xiii) of this paragraph, and such amount shall be
36 divided as follows: an amount of not more than Fifty Thousand
37 Dollars (\$50,000.00) per fire truck for the first six (6) trucks
38 and not more than Seventy Thousand Dollars (\$70,000.00) per fire
39 truck for the seventh, eighth, ninth, tenth and eleventh trucks,
40 and not more than Ninety Thousand Dollars (\$90,000.00) per fire
41 truck for the twelfth, thirteenth, fourteenth and fifteenth truck.
42 Monies distributed under this chapter shall be expended only for
43 the purchase of new or used fire trucks and such trucks must meet
44 the National Fire Protection Association (NFPA) standards in the



45 1900 series and be approved by the Rural Fire Truck Review
46 Committee.

47 (i) Any county that has not applied for a fire
48 truck under this section is eligible to submit applications for
49 fifteen (15) fire trucks as follows: six (6) fire trucks at not
50 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
51 (5) fire trucks at not more than Seventy Thousand Dollars
52 (\$70,000.00) per truck, and four (4) fire trucks at not more than
53 Ninety Thousand Dollars (\$90,000.00) per truck or a total of One
54 Million Ten Thousand Dollars (\$1,010,000.00).

55 (ii) Any county that has received one (1) fire
56 truck under this section is eligible to submit applications for
57 fourteen (14) fire trucks as follows: five (5) fire trucks at not
58 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
59 (5) fire trucks at not more than Seventy Thousand Dollars
60 (\$70,000.00) per truck, and four (4) fire trucks at not more than
61 Ninety Thousand Dollars (\$90,000.00) per truck or a total of Nine
62 Hundred Sixty Thousand Dollars (\$960,000.00).

63 (iii) Any county that has received two (2) fire
64 trucks under this section is eligible to submit an application for
65 thirteen (13) fire trucks as follows: four (4) fire trucks at not
66 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
67 (5) fire trucks at not more than Seventy Thousand Dollars
68 (\$70,000.00) per truck, and four (4) fire trucks at not more than



69 Ninety Thousand Dollars (\$90,000.00) per truck or a total of not
70 more than Nine Hundred Ten Thousand Dollars (\$910,000.00).

71 (iv) Any county that has received three (3) fire
72 trucks under this section is eligible to submit an application for
73 twelve (12) fire trucks as follows: three (3) fire trucks at not
74 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
75 (5) fire trucks at not more than Seventy Thousand Dollars
76 (\$70,000.00) per truck, and four (4) fire trucks at not more than
77 Ninety Thousand Dollars (\$90,000.00) per truck or a total of not
78 more than Eight Hundred Sixty Thousand Dollars (\$860,000.00).

79 (v) Any county that has received four (4) fire
80 trucks under this section is eligible to submit an application for
81 eleven (11) fire trucks as follows: two (2) fire trucks at not
82 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
83 (5) fire trucks at not more than Seventy Thousand Dollars
84 (\$70,000.00) per truck, and four (4) fire trucks at not more than
85 Ninety Thousand Dollars (\$90,000.00) per truck or a total of not
86 more than Eight Hundred Ten Thousand Dollars (\$810,000.00).

87 (vi) Any county that has received five (5) fire
88 trucks under this section is eligible to submit an application for
89 ten (10) fire trucks as follows: one (1) fire truck at not more
90 than Fifty Thousand Dollars (\$50,000.00) per truck and five (5)
91 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)
92 per truck, and four (4) fire trucks at not more than Ninety



93 Thousand Dollars (\$90,000.00) per truck or a total of not more
94 than Seven Hundred Sixty Thousand Dollars (\$760,000.00).

95 (vii) Any county that has received six (6) fire
96 trucks under this section is eligible to submit an application for
97 nine (9) fire trucks as follows: five (5) fire trucks at not more
98 than Seventy Thousand Dollars (\$70,000.00) per truck, and four (4)
99 fire trucks at not more than Ninety Thousand Dollars (\$90,000.00)
100 per truck or a total of not more than Seven Hundred Ten Thousand
101 Dollars (\$710,000.00).

102 (viii) Any county that has received seven (7) fire
103 trucks under this section is eligible to submit an application for
104 eight (8) fire trucks as follows: four (4) fire trucks at not
105 more than Seventy Thousand Dollars (\$70,000.00) per truck, and
106 four (4) fire trucks at not more than Ninety Thousand Dollars
107 (\$90,000.00) per truck or a total of not more than Six Hundred
108 Forty Thousand Dollars (\$640,000.00).

109 (ix) Any county that has received eight (8) fire
110 trucks under this section is eligible to submit an application for
111 seven (7) fire trucks as follows: three (3) fire trucks at not
112 more than Seventy Thousand Dollars (\$70,000.00) per truck, and
113 four (4) fire trucks at not more than Ninety Thousand Dollars
114 (\$90,000.00) per truck or a total of not more than Five Hundred
115 Seventy Thousand Dollars (\$570,000.00).

116 (x) Any county that has received nine (9) fire
117 trucks under this section is eligible to submit an application for



118 six (6) fire trucks as follows: two (2) fire trucks at not more
119 than Seventy Thousand Dollars (\$70,000.00) per truck, and four (4)
120 fire trucks at not more than Ninety Thousand Dollars (\$90,000.00)
121 per truck or a total of not more than Five Hundred Thousand
122 Dollars (\$500,000.00).

123 (xi) Any county that has received ten (10) fire
124 trucks under this section is eligible to submit an application for
125 five (5) fire trucks as follows: one (1) fire truck at not more
126 than Seventy Thousand Dollars (\$70,000.00) per truck, and four (4)
127 fire trucks at not more than Ninety Thousand Dollars (\$90,000.00)
128 per truck or a total of not more than Four Hundred Thirty Thousand
129 Dollars (\$430,000.00).

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

134 (xiii) Any county may apply for four (4) fire
135 trucks at not more than Ninety Thousand Dollars (\$90,000.00) per
136 truck as provided in subparagraph (xii), provided that the county
137 agrees to forego any previous fire truck under subparagraphs (i)
138 through (xi) for which the county has not previously applied, and
139 that the county has received approval from the Rural Fire Truck
140 Acquisition Assistance Program Committee to apply for and receive
141 a truck under subparagraph (xii).



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

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

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

(ii) A municipality must provide adequate documentation of its contract with the county that requires the municipality to provide fire protection in rural areas. The term



"rural areas" means any area within the county located outside the boundaries of an incorporated municipality or any incorporated municipality with a population of two thousand five hundred (2,500) or less.

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

(4) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Matching Assistance Fund," which shall consist of funds appropriated by the Legislature from the State General Fund or any other special source fund. The Department of Insurance shall use the funds for matching assistance to counties and municipalities with remaining



eligibility in accordance with the provisions of subsection (5) of this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

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

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

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

SECTION 2. This act shall take effect and be in force from and after its passage.

