

By: Representative Summers

To: Appropriations A

HOUSE BILL NO. 1344

1 AN ACT TO CREATE THE MISSISSIPPI MUNICIPALITY AND COUNTY FIRE
2 STATION BUILDING FUND; TO PROVIDE THAT SUCH FUND SHALL BE
3 ADMINISTERED THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; TO
4 PROVIDE THAT SUCH FUNDS SHALL BE USED TO RENOVATE, UPGRADE AND
5 MODIFY LOCAL FIRE STATIONS; TO PROVIDE CERTAIN FUNDING FOR THE
6 FUND; TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO
7 CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) This act shall be known and may be cited as
10 the "Mississippi Municipality and County Fire Station Building
11 Fund."

12 (2) There is hereby established within the Mississippi
13 Emergency Management Agency the Mississippi Municipality and
14 County Water Fire Station Grant Program under which municipalities
15 and counties may apply for reimbursable grants with a fifty
16 percent (50%) match from the municipality or county, to make
17 necessary investments to renovate, upgrade and modify local fire
18 stations.

19 (3) (a) On or before July 1, 2026, the Mississippi
20 Emergency Management Agency (MEMA) shall promulgate rules and



21 regulations necessary to administer the program prescribed under
22 this act, including application procedures and deadlines. MEMA is
23 exempt from compliance with the Mississippi Administrative
24 Procedures Law in fulfilling the requirements of this section.

25 (4) An application for a grant under this act shall be
26 submitted at such time, be in such form, and contain such
27 information as MEMA prescribes. Each application for grant funds
28 shall include the following at a minimum: (a) applicant contact
29 information; (b) project description and type of project; (c)
30 project map; (d) estimate of population affected by the project;
31 (e) disadvantaged community criteria (population, median household
32 income, unemployment); (f) estimated project cost; (h) estimated
33 project schedule and readiness to proceed; (i) engineering or
34 architectural services agreement; (j) engineering or architectural
35 reports; and (k) information about status of obtaining any
36 required permits.

37 (5) MEMA must apply a system for use in ranking the grant
38 applications received. When applying the ranking system, the
39 agency shall apply a greater weight to projects that have approved
40 engineering or architectural design, plans and permits if MEMA has
41 deemed the project is ready to begin construction within six (6)
42 months. The ranking system shall include the following factors,
43 at a minimum: (a) the environmental impact of the proposed
44 project; (b) the proposed project's ability to address
45 noncompliance with state/federal requirements; (c) the extent to



46 which the project promotes economic development; (d) the number of
47 people served by the project and the number of communities the
48 project serves; (e) impacts of the proposed project on
49 disadvantaged/overburdened communities; (f) the grant applicant's
50 prior efforts to secure funding to address the proposed project's
51 objectives; (g) the grant applicant's proposed contribution of
52 other funds or in-kind cost-sharing to the proposed project; (h)
53 the grant applicant's long-term plans for the financial and
54 physical operation and maintenance of the project; (i) the grant
55 applicant's capacity to initiate construction in a timely manner;
56 (j) the extent to which the project benefits multiple political
57 subdivisions in a regional manner; (k) the project's ability to
58 enhance public service infrastructure, including transportation
59 and emergency access; and (l) any other factors as determined by
60 the agency.

61 (6) Applications shall be reviewed and scored as they are
62 received. Grant agreements shall be executed between the
63 recipient and MEMA. All final awards shall be determined at the
64 discretion of the executive director of MEMA.

65 (7) The use of funds allocated under this program shall be
66 subject to audit by the Mississippi Office of the State Auditor.
67 Each person receiving funds under these programs found to be fully
68 or partially noncompliant with the requirements in this act shall
69 return to the state all or a portion of the funds received.



(8) MEMA shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports. The reports shall contain the applications received, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and status of each applicant's project.

(9) MEMA may retain an amount not to exceed five percent (5%) of the total funds allocated to the program to defray administrative costs.

(10) There is established in the State Treasury a special fund to be known as the Mississippi Municipality and County Fire Station Building Fund. The fund shall be funded by an initial transfer of funds from the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund, which is established under Section 45-2-1. The initial transfer from the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund to the Mississippi Municipality and County Fire Station Building Fund shall be in the amount of Five Million Dollars (\$5,000,000.00) for the purpose of carrying out the provisions of this act. The fund may be also comprised of any additional funds made available by the Legislature or by donation, contribution, gift of any other source.

SECTION 2. Section 45-2-1, Mississippi Code of 1972, is amended as follows:



45-2-1. (1) Whenever used in this section, the term:

(a) "Covered individual" means a law enforcement officer or firefighter, including volunteer firefighters, as defined in this section when employed by an employer as defined in this section; it does not include employees of independent contractors.

(b) "Employer" means a state board, commission, department, division, bureau or agency, or a county, municipality or other political subdivision of the state, which employs, appoints or otherwise engages the services of covered individuals.

(c) "Firefighter" means an individual who is trained for the prevention and control of loss of life and property from fire or other emergencies, who is assigned to firefighting activity, and is required to respond to alarms and perform emergency actions at the location of a fire, hazardous materials or other emergency incident.

(d) "Law enforcement officer" means any lawfully sworn officer or employee of the state or any political subdivision of the state whose duties require the officer or employee to investigate, pursue, apprehend, arrest, transport or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime, whether the officer is on regular duty on full-time status, an auxiliary or reserve officer, or is serving on a temporary or part-time status.



119 (e) "Cause of death" means any cause of death that
120 would be covered under the Public Safety Officers' Benefits Act of
121 1976, the Hometown Heroes Survivors Benefits Act of 2003,
122 generally codified at 42 USCS Chapter 46, or the Safeguarding
123 America's First Responders Act of 2020.

124 (2) (a) The Department of Public Safety shall make a
125 payment, as provided in this section, in the amount of One Hundred
126 Thousand Dollars (\$100,000.00) when a covered individual, while
127 engaged in the performance of the person's official duties, dies
128 or receives accidental or intentional bodily injury that results
129 in the loss of the covered individual's life and such death is the
130 result of a covered cause of death, provided that the death is not
131 the result of suicide and that the bodily injury is not
132 intentionally self-inflicted.

133 (b) The payment provided for in this subsection shall
134 be made to the beneficiary who was designated in writing by the
135 covered individual, signed by the covered individual and delivered
136 to the employer during the covered individual's lifetime. If no
137 such designation is made, then the payment shall be made to the
138 surviving child or children and spouse in equal portions, and if
139 there is no surviving child or spouse, then to the parent or
140 parents. If a beneficiary is not designated and there is no
141 surviving child, spouse or parent, then the payment shall be made
142 to the covered individual's estate.



143 (c) The payment made in this subsection is in addition
144 to any workers' compensation or pension benefits and is exempt
145 from the claims and demands of creditors of the covered
146 individual.

147 (3) (a) There is established in the State Treasury a
148 special fund to be known as the Law Enforcement Officers and Fire
149 Fighters Death Benefits Trust Fund. The trust fund shall be
150 funded by an initial appropriation of Two Hundred Thousand Dollars
151 (\$200,000.00), and shall be comprised of any additional funds made
152 available by the Legislature or by donation, contribution, gift or
153 any other source.

154 (b) The State Treasurer shall invest the monies of the
155 trust fund in any of the investments authorized for the funds of
156 the Public Employees' Retirement System under Section 25-11-121,
157 and those investments shall be subject to the limitations
158 prescribed by Section 25-11-121.

159 (c) Unexpended amounts remaining in the trust fund at
160 the end of the state fiscal year shall not lapse into the State
161 General Fund, and any income earned on amounts in the trust fund
162 shall be deposited to the credit of the trust fund. However, any
163 unexpended amounts transferred in accordance with Section 2 of
164 Chapter 315, Laws of 2022, and remaining in the trust fund at the
165 end of the state fiscal year shall lapse into the Coronavirus
166 State Fiscal Recovery Fund.



167 (d) A portion of the fund shall be transferred to the
168 Mississippi Municipality and County Fire Station Building Fund as
169 set out under Section 1 of this act.

170 (4) The Department of Public Safety shall be responsible for
171 the management of the trust fund and the disbursement of death
172 benefits authorized under this section. The Department of Public
173 Safety shall adopt rules and regulations necessary to implement
174 and standardize the payment of death benefits under this section,
175 to administer the trust fund created by this section and to carry
176 out the purposes of this section.

177 **SECTION 3.** This act shall take effect and be in force from
178 and after July 1, 2025.

