

By: Representatives Stevens, Reynolds,  
Horne, Dedeaux, Franks, Robinson (84th),  
Simmons, Manning, Ketchings

To: Insurance;  
Appropriations

HOUSE BILL NO. 333  
(As Passed the House)

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO  
2 ALLOW CERTAIN COUNTIES TO APPLY FOR THE FOURTH ROUND OF FIRE  
3 TRUCKS UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM;  
4 TO PROVIDE THAT THE LEGISLATURE MAY APPROPRIATE THAT AMOUNT  
5 NECESSARY TO FULFILL THE OBLIGATIONS CREATED UNDER THIS SECTION;  
6 AND FOR RELATED PURPOSES.

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

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

10 17-23-1. (1) There is established a rural fire truck  
11 acquisition assistance program to be administered by the  
12 Department of Insurance for the purpose of assisting counties and  
13 municipalities in the acquisition of fire trucks.

14 (2) There is created in the State Treasury a special fund to  
15 be designated as the "Rural Fire Truck Fund." The Legislature may  
16 appropriate an amount not to exceed Two Million Dollars  
17 (\$2,000,000.00), or that amount necessary to fulfill the  
18 obligations created under this section by the Department of  
19 Insurance, from the State General Fund to such special fund, which  
20 sum shall be added to the remainder of the money transferred on  
21 July 1, 1995, and during the 1996 Regular Session to the Rural  
22 Fire Truck Fund. The appropriation may be made during the 1999  
23 Regular Session. Such monies as are deposited into the fund under  
24 the provisions of this section may be available after the 1999  
25 Regular Session and such monies must be obligated by December 31,  
26 2000, upon legislative appropriation, and upon requisition  
27 therefor by the Commissioner of Insurance, in accordance with the  
28 provisions of this section. Unexpended amounts remaining in the  
29 fund at the end of a fiscal year shall not lapse into the State

30 General Fund, and any interest earned on amounts in the fund shall  
31 be deposited to the credit of the fund. It is the intent of the  
32 Legislature that the Department of Insurance continue to accept  
33 applications from the counties for fire trucks from the additional  
34 funds authorized by this subsection. The Department of Insurance  
35 shall include these funds in the fiscal years 1999 and 2000 budget  
36 requests.

37 (3) (a) A county that meets the requirements provided  
38 herein may receive an amount not to exceed Two Hundred Thousand  
39 Dollars (\$200,000.00) as provided in subparagraphs (i), (ii),  
40 (iii) and (iv) of this paragraph, and such amount shall be divided  
41 equally with not more than Fifty Thousand Dollars (\$50,000.00) per  
42 fire truck. Monies distributed under this chapter shall be  
43 expended only for the purchase of new fire trucks and such trucks  
44 must meet the National Fire Protection Association (NFPA)  
45 standards in the 1900 series.

46 (i) Any county that has not applied for a fire  
47 truck under this section is eligible to submit applications for  
48 four (4) fire trucks at not more than Fifty Thousand Dollars  
49 (\$50,000.00) per truck or a total of Two Hundred Thousand Dollars  
50 (\$200,000.00).

51 (ii) Any county that has received one (1) fire  
52 truck under this section is eligible to submit applications for  
53 three (3) fire trucks at not more than Fifty Thousand Dollars  
54 (\$50,000.00) per truck or a total of One Hundred Fifty Thousand  
55 Dollars (\$150,000.00).

56 (iii) Any county that has received two (2) fire  
57 trucks under this section is eligible to submit an application for  
58 two (2) fire trucks or a total of not more than One Hundred  
59 Thousand Dollars (\$100,000.00).

60 (iv) Any county that has received three (3) fire  
61 trucks under this section is eligible to submit an application for  
62 one (1) fire truck or a total of not more than Fifty Thousand  
63 Dollars (\$50,000.00).

64 (b) The board of supervisors of the county shall submit  
65 its request for the receipt of monies to the Department of  
66 Insurance. A committee composed of the Commissioner of Insurance,  
67 the State Fire Coordinator, the Director of the Rating Bureau and

68 the Director of the State Fire Academy shall review the requests  
69 by the boards of supervisors and shall determine whether the  
70 county or municipality for which the board of supervisors has  
71 requested a truck meets the requirements of eligibility under this  
72 chapter.

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

75 (i) A county or municipality must pledge to set  
76 aside or dedicate each year as matching funds, for a period not to  
77 extend over ten (10) years, local funds in an amount equal to or  
78 not less than one-tenth (1/10) of the amount of monies for which  
79 it is requesting distribution from the Rural Fire Truck Fund,  
80 which pledged monies may be derived from local ad valorem tax  
81 authorized by law or from any other funds available to the county  
82 or municipality, except for those funds received by municipalities  
83 or counties from the Municipal Fire Protection Fund or the County  
84 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and  
85 83-1-39.

86 (ii) A municipality must provide adequate  
87 documentation of its contract with the county that requires the  
88 municipality to provide fire protection in rural areas. The term  
89 "rural areas" means any area within the county located outside the  
90 boundaries of an incorporated municipality or any incorporated  
91 municipality with a population of two thousand five hundred  
92 (2,500) or less.

93 (d) The Department of Insurance shall maintain an  
94 accurate record of all monies distributed to counties and  
95 municipalities and the number of fire trucks purchased and the  
96 cost for each fire truck, such records to be kept separate from  
97 other records of the Department of Insurance; notify counties and  
98 municipalities of the rural fire truck acquisition assistance  
99 program and the requirements for them to become eligible to  
100 participate; adopt and promulgate such rules and regulations as  
101 may be necessary and desirable to implement the provisions of this

102 chapter; and file with the Legislature on or before January 2,  
103 1999, and July 1, 1999, a report detailing how monies made  
104 available under this chapter were distributed and spent during the  
105 preceding portion of the fiscal year in each county and  
106 municipality, the number of fire trucks purchased, the counties  
107 and municipalities making such purchases and the cost of each fire  
108 truck purchased.

109 SECTION 2. This act shall take effect and be in force from  
110 and after July 1, 1999.