

By: Senator(s) Dearing

To: Insurance;
Appropriations

SENATE BILL NO. 2233

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE COUNTIES AND MUNICIPALITIES TO ACQUIRE FIRE TRUCKS BY
3 LEASE-PURCHASE UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE
4 PROGRAM; AND FOR RELATED PURPOSES. BE IT ENACTED BY THE
5 LEGISLATURE OF THE STATE OF MISSISSIPPI:

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

9 17-23-1. (1) There is established a 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 an amount not to exceed Two Million Dollars
16 (\$2,000,000.00), or that amount obligated by the Department of
17 Insurance, from the State General Fund to such special fund, which
18 sum shall be added to the remainder of the money transferred on
19 July 1, 1995, and during the 1996 Regular Session to the Rural
20 Fire Truck Fund. The appropriation may be made during the 1999
21 Regular Session. Such monies as are deposited into the fund under
22 the provisions of this section may be available after the 1999
23 Regular Session and such monies must be obligated by December 31,
24 2000, upon legislative appropriation, and upon requisition
25 therefor by the Commissioner of Insurance, in accordance with the
26 provisions of this section. Unexpended amounts remaining in the
27 fund at the end of a fiscal year shall not lapse into the State
28 General Fund, and any interest earned on amounts in the fund shall
29 be deposited to the credit of the fund. It is the intent of the

Legislature that the Department of Insurance continue to accept applications from the counties for fire trucks from the additional funds authorized by this subsection. The Department of Insurance shall include these funds in the fiscal years 1999 and 2000 budget requests.

(3) (a) A county that meets the requirements provided herein may receive an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) as provided in subparagraphs (i), (ii) and (iii) of this paragraph, and such amount shall be divided equally with not more than Fifty Thousand Dollars (\$50,000.00) per fire truck. Monies distributed under this section shall be expended only for the purchase or lease-purchase of new fire trucks, and such trucks must meet the National Fire Protection Association (NFPA) standards in the 1900 series.

(i) Any county that has not applied for a fire truck under this section is eligible to submit applications for three (3) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck or a total of One Hundred Fifty Thousand Dollars (\$150,000.00).

(ii) Any county that has received one (1) fire truck under this section is eligible to submit applications for two (2) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck or a total of One Hundred Thousand Dollars (\$100,000.00).

(iii) Any county that has received two (2) fire trucks under this section is eligible to submit an application for one (1) fire truck or a total of not more than Fifty Thousand Dollars (\$50,000.00).

(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 section.

(c) To be eligible to receive monies under this

68 section:

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

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

87 (d) The Department of Insurance shall maintain an
88 accurate record of all monies distributed to counties and
89 municipalities and the number of fire trucks purchased and
90 lease-purchased and the cost for each fire truck, such records to
91 be kept separate from other records of the Department of
92 Insurance; notify counties and municipalities of the rural fire
93 truck acquisition assistance program and the requirements for them
94 to become eligible to participate; adopt and promulgate such rules
95 and regulations as may be necessary and desirable to implement the
96 provisions of this section; and file with the Legislature on or
97 before January 2, 1999, and July 1, 1999, a report detailing how
98 monies made available under this section were distributed and
99 spent during the preceding portion of the fiscal year in each
100 county and municipality, the number of fire trucks purchased and
101 lease-purchased, the counties and municipalities making such

102 purchases and lease-purchases, and the cost of each fire truck
103 purchased or lease-purchased.

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