

By: Senator(s) Furniss

To: Veterans and Military  
Affairs; Appropriations

SENATE BILL NO. 2393

1 AN ACT TO AMEND SECTION 33-15-25, MISSISSIPPI CODE OF 1972,  
 2 TO AUTHORIZE LOCAL ORGANIZATIONS OF EMERGENCY MANAGEMENT TO  
 3 ANNUALLY APPLY WITH THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY TO  
 4 RECEIVE MATCHING FUNDS FOR EMERGENCY MANAGEMENT ASSISTANCE AND TO  
 5 REQUIRE THE DIRECTOR OF EMERGENCY MANAGEMENT TO ESTABLISH THE  
 6 GRANT APPLICATION AND ELIGIBILITY CRITERIA; TO CREATE A NEW CODE  
 7 SECTION TO ESTABLISH AND FUND THE EMERGENCY MANAGEMENT ASSISTANCE  
 8 TRUST FUND; TO IMPOSE AN ANNUAL FEE ON CERTAIN INSURANCE POLICIES;  
 9 TO PROVIDE FOR THE ALLOCATION OF FUNDS APPROPRIATED FROM THE  
 10 EMERGENCY MANAGEMENT ASSISTANCE TRUST FUND; TO AMEND SECTION  
 11 33-15-43, MISSISSIPPI CODE OF 1972, TO PROVIDE CRIMINAL PENALTIES  
 12 FOR FAILING TO ESTABLISH A LOCAL ORGANIZATION FOR EMERGENCY  
 13 MANAGEMENT IN ACCORDANCE WITH THE STATE EMERGENCY MANAGEMENT PLAN;  
 14 AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** Section 33-15-25, Mississippi Code of 1972, is  
 17 amended as follows:

18 33-15-25. (1) The Governor of the State of Mississippi is  
 19 authorized to enter into agreements with the federal government  
 20 for the purpose of matching any federal funds that may be made  
 21 available for emergency management purposes, which shall include  
 22 purchasing emergency management equipment and supplies, to the  
 23 state on a matching basis. Provided, that no agreement shall  
 24 obligate the state for an amount greater than the appropriation  
 25 available for such purpose. The state's portion of the purchase  
 26 price of any emergency management equipment may be made available  
 27 from any appropriation made for such purposes.

28 (2) Any county board of supervisors or municipal governing  
 29 body may enter into agreement with the federal government with  
 30 approval of the State Director of Emergency Management for  
 31 matching funds which may be made available for emergency  
 32 management purposes, which shall include purchasing emergency  
 33 management equipment and supplies, by such county or municipality



34 in conjunction with any federal matching program and funds may be  
35 expended from the general fund of such county or municipality or  
36 from such other funds as may be available to such county or  
37 municipality for emergency management purposes in order to provide  
38 the county or municipal portion of funds necessary to carry out  
39 such matching agreement.

40 (3) Any local organization of emergency management  
41 established under Section 33-15-17 may annually apply with the  
42 Mississippi Emergency Management Agency to receive matching funds  
43 in an amount not to exceed Ten Thousand Dollars (\$10,000.00) for  
44 emergency management assistance. The grant application and  
45 eligibility criteria shall be established and promulgated by the  
46 Director of Emergency Management as authorized in Section  
47 33-15-14(2)(p), and shall include at a minimum a multi-year  
48 strategic plan for eliminating overall program deficiencies  
49 identified by a capability assessment for readiness evaluation.  
50 Any such local organization may apply for additional emergency  
51 management assistance funding exceeding the maximum amount  
52 provided herein on a seventy-five percent (75%) local and  
53 twenty-five percent (25%) state basis for program support,  
54 maintenance and related purposes. Such additional funds shall be  
55 made available from monies derived from the State General Fund and  
56 the federal government. The director shall provide a detailed  
57 report of the Emergency Management Assistance Program in his  
58 biennial report in accordance with Section 33-15-14(2)(o).

59 **SECTION 2.** (1) There is hereby created the Emergency  
60 Management Assistance Trust Fund to be administered by the  
61 Mississippi Emergency Management Agency.

62 (2) In order to provide funds for emergency management,  
63 preparedness and assistance, an annual fee of Two Dollars (\$2.00)  
64 per policy shall be imposed on every homeowner's, mobile  
65 homeowner's, tenant homeowner's and condominium unit owner's  
66 policy, and an annual Four Dollar (\$4.00) fee shall be imposed on



67 every commercial fire, commercial multiple peril and business  
68 owner's property insurance policy, issued or renewed on or after  
69 July 1, 2002. The fee shall be paid by the policyholder to the  
70 insurer. The insurer shall collect the fee and remit it to the  
71 State Tax Commission, which shall collect, administer, audit and  
72 enforce the fee. The fee is not to be considered premiums of the  
73 insurer; however, nonpayment of the fee by the insured may be a  
74 valid reason for cancellation of the policy. All proceeds of the  
75 fee shall be deposited in the Emergency Management Assistance  
76 Trust Fund and may not be used to supplant existing funding.

77 (3) Funds appropriated from the Emergency Management  
78 Assistance Trust Fund shall be expended by the Mississippi  
79 Emergency Management Agency as follows:

80 (a) To assist in funding local emergency management  
81 program grants;

82 (b) To administer the implementation and oversight of  
83 local programs; and

84 (c) To be deposited into the Disaster Trust Fund to  
85 fund authorized expenditures as outlined in Section 33-15-307.

86 (4) The distribution provided in subsection (3) may be  
87 adjusted proportionally at the discretion of the Director of the  
88 Mississippi Emergency Management Agency to meet any matching  
89 requirements imposed as a condition of receiving federal disaster  
90 relief assistance or for other related purposes.

91 (5) The provisions of this section shall stand repealed from  
92 and after July 1, 2005.

93 **SECTION 3.** Section 33-15-43, Mississippi Code of 1972, is  
94 amended as follows:

95 33-15-43. (1) Any person violating any provision of this  
96 article or any rule, order or regulation made pursuant to this  
97 article shall, upon conviction thereof, be punishable by a fine  
98 not exceeding Five Hundred Dollars (\$500.00) or imprisonment for  
99 not exceeding six (6) months or both.



100       (2) Any member of a governing body of a municipality or  
101 county who knowingly or willfully fails or refuses to establish a  
102 local organization for emergency management in accordance with the  
103 state emergency management plan and program, if required and  
104 authorized to do so by such state emergency management plan  
105 pursuant to Section 33-15-17, shall upon conviction be fined not  
106 exceeding One Thousand Dollars (\$1,000.00) or be imprisoned in the  
107 county jail not exceeding six (6) months, or both.

108       **SECTION 4.** This act shall take effect and be in force from  
109 and after July 1, 2002.

