

By: Representatives Turner, Arnold, Foster,
Anthony

To: Insurance

HOUSE BILL NO. 818

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO
 2 REVISE THE RURAL FIRE TRUCK MATCHING ASSISTANCE PROGRAM TO REMOVE
 3 LANGUAGE THAT LIMITS ELIGIBILITY OF THE RURAL FIRE TRUCK MATCHING
 4 ASSISTANCE PROGRAM TO THOSE COUNTIES THAT HAVE RECEIVED FUNDING
 5 FOR EIGHT ROUNDS OR LESS FROM THE RURAL FIRE TRUCK MATCHING
 6 ASSISTANCE PROGRAM; TO AMEND SECTION 25-15-409, MISSISSIPPI CODE
 7 OF 1972, TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO CONTRACT
 8 WITH A THIRD PARTY VENDOR TO ADMINISTER BENEFITS UNDER THE
 9 MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT AND TO
 10 AUTHORIZE PAYMENT FOR THAT VENDOR FROM THE MISSISSIPPI FIRST
 11 RESPONDERS HEALTH AND SAFETY TRUST FUND; TO AMEND SECTION
 12 25-15-411, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT
 13 THAT THE COMMISSIONER OF INSURANCE NOTIFY THE HOUSE OF
 14 REPRESENTATIVES AND SENATE INSURANCE CHAIRMEN BEFORE MAKING ANY
 15 DISTRIBUTIONS FROM THE MISSISSIPPI FIRST RESPONDERS HEALTH AND
 16 SAFETY TRUST FUND; TO AMEND SECTION 83-1-37, MISSISSIPPI CODE OF
 17 1972, TO INCREASE THE CREDIT TO THE MUNICIPAL FIRE PROTECTION
 18 FUND; TO AMEND SECTION 83-1-39, MISSISSIPPI CODE OF 1972, TO
 19 INCREASE THE CREDIT TO THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND;
 20 TO BRING FORWARD SECTION 83-5-72, MISSISSIPPI CODE OF 1972, FOR
 21 THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

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

25 17-23-1. (1) There is established the Rural Fire Truck
 26 Acquisition Assistance Program to be administered by the



27 Department of Insurance for the purpose of assisting counties and
28 municipalities in the acquisition of fire trucks.

29 (2) There is created in the State Treasury a special fund to
30 be designated as the "Rural Fire Truck Fund." The Legislature may
31 appropriate that amount necessary to fulfill the obligations
32 created under this section by the Department of Insurance, from
33 the State General Fund to such special fund, which sum shall be
34 added to the remainder of the money transferred on July 1, 1995,
35 and during the 1996 Regular Session to the Rural Fire Truck Fund.
36 Unexpended amounts remaining in the fund at the end of a fiscal
37 year shall not lapse into the State General Fund, and any interest
38 earned on amounts in the fund shall be deposited to the credit of
39 the fund. Unobligated amounts remaining in the Rural Fire Truck
40 Fund, Fund No. 3507, or in any fund created for funds appropriated
41 or otherwise made available for this program, may be used as
42 matching funds by any county with remaining eligibility as
43 provided herein. It is the intent of the Legislature that the
44 Department of Insurance continue to accept applications from the
45 counties for fire trucks as provided in subsection (3) of this
46 section.

47 (3) (a) A county that meets the requirements provided
48 herein may receive an amount not to exceed One Million Ten
49 Thousand Dollars (\$1,010,000.00) as provided in subparagraphs (i),
50 (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi),
51 (xii) and (xiii) of this paragraph, and such amount shall be



52 divided as follows: an amount of not more than Fifty Thousand
53 Dollars (\$50,000.00) per fire truck for the first six (6) trucks
54 and not more than Seventy Thousand Dollars (\$70,000.00) per fire
55 truck for the seventh, eighth, ninth, tenth and eleventh trucks,
56 and not more than Ninety Thousand Dollars (\$90,000.00) per fire
57 truck for the twelfth, thirteenth, fourteenth and fifteenth truck.
58 Monies distributed under this chapter shall be expended only for
59 the purchase of new or used fire trucks and such trucks must meet
60 the National Fire Protection Association (NFPA) standards in the
61 1900 series and be approved by the Rural Fire Truck Review
62 Committee.

63 (i) Any county that has not applied for a fire
64 truck under this section is eligible to submit applications for
65 fifteen (15) fire trucks as follows: six (6) 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 One
70 Million Ten Thousand Dollars (\$1,010,000.00).

71 (ii) Any county that has received one (1) fire
72 truck under this section is eligible to submit applications for
73 fourteen (14) fire trucks as follows: five (5) 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 Nine
78 Hundred Sixty Thousand Dollars (\$960,000.00).

79 (iii) Any county that has received two (2) fire
80 trucks under this section is eligible to submit an application for
81 thirteen (13) fire trucks as follows: four (4) 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 Nine Hundred Ten Thousand Dollars (\$910,000.00).

87 (iv) Any county that has received three (3) fire
88 trucks under this section is eligible to submit an application for
89 twelve (12) fire trucks as follows: three (3) fire trucks at not
90 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
91 (5) fire trucks at not more than Seventy Thousand Dollars
92 (\$70,000.00) per truck, and four (4) fire trucks at not more than
93 Ninety Thousand Dollars (\$90,000.00) per truck or a total of not
94 more than Eight Hundred Sixty Thousand Dollars (\$860,000.00).

95 (v) Any county that has received four (4) fire
96 trucks under this section is eligible to submit an application for
97 eleven (11) fire trucks as follows: two (2) fire trucks at not
98 more than Fifty Thousand Dollars (\$50,000.00) per truck and five
99 (5) fire trucks at not more than Seventy Thousand Dollars
100 (\$70,000.00) per truck, and four (4) fire trucks at not more than



101 Ninety Thousand Dollars (\$90,000.00) per truck or a total of not
102 more than Eight Hundred Ten Thousand Dollars (\$810,000.00).

103 (vi) Any county that has received five (5) fire
104 trucks under this section is eligible to submit an application for
105 ten (10) fire trucks as follows: one (1) fire truck at not more
106 than Fifty Thousand Dollars (\$50,000.00) per truck and five (5)
107 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)
108 per truck, and four (4) fire trucks at not more than Ninety
109 Thousand Dollars (\$90,000.00) per truck or a total of not more
110 than Seven Hundred Sixty Thousand Dollars (\$760,000.00).

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

118 (viii) Any county that has received seven (7) fire
119 trucks under this section is eligible to submit an application for
120 eight (8) fire trucks as follows: four (4) fire trucks at not
121 more than Seventy Thousand Dollars (\$70,000.00) per truck, and
122 four (4) fire trucks at not more than Ninety Thousand Dollars
123 (\$90,000.00) per truck or a total of not more than Six Hundred
124 Forty Thousand Dollars (\$640,000.00).



125 (ix) Any county that has received eight (8) fire
126 trucks under this section is eligible to submit an application for
127 seven (7) fire trucks as follows: three (3) fire trucks at not
128 more than Seventy Thousand Dollars (\$70,000.00) per truck, and
129 four (4) fire trucks at not more than Ninety Thousand Dollars
130 (\$90,000.00) per truck or a total of not more than Five Hundred
131 Seventy Thousand Dollars (\$570,000.00).

132 (x) Any county that has received nine (9) fire
133 trucks under this section is eligible to submit an application for
134 six (6) fire trucks as follows: two (2) fire trucks at not more
135 than Seventy Thousand Dollars (\$70,000.00) per truck, and four (4)
136 fire trucks at not more than Ninety Thousand Dollars (\$90,000.00)
137 per truck or a total of not more than Five Hundred Thousand
138 Dollars (\$500,000.00).

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

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



150 (xiii) Any county may apply for four (4) fire
151 trucks at not more than Ninety Thousand Dollars (\$90,000.00) per
152 truck as provided in subparagraph (xii), provided that the county
153 agrees to forego any previous fire truck under subparagraphs (i)
154 through (xi) for which the county has not previously applied, and
155 that the county has received approval from the Rural Fire Truck
156 Acquisition Assistance Program Committee to apply for and receive
157 a truck under subparagraph (xii).

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

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

169 (i) A county or municipality must pledge to set
170 aside or dedicate each year as matching funds, for a period not to
171 extend over ten (10) years, local funds in an amount equal to or
172 not less than one-tenth (1/10) of the amount of monies for which
173 it is requesting distribution from the Rural Fire Truck Fund,
174 which pledged monies may be derived from local ad valorem tax



175 authorized by law or from any other funds available to the county
176 or municipality, except for those funds received by municipalities
177 or counties from the Municipal Fire Protection Fund or the County
178 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and
179 83-1-39.

180 (ii) A municipality must provide adequate
181 documentation of its contract with the county that requires the
182 municipality to provide fire protection in rural areas. The term
183 "rural areas" means any area within the county located outside the
184 boundaries of an incorporated municipality or any incorporated
185 municipality with a population of two thousand five hundred
186 (2,500) or less.

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



200 counties and municipalities making such purchases, and the cost of
201 each fire truck purchased.

202 (4) There is created in the State Treasury a special fund to
203 be designated as the "Rural Fire Truck Matching Assistance Fund,"
204 which shall consist of funds appropriated by the Legislature from
205 the State General Fund or any other special source fund. The
206 Department of Insurance shall use the funds for matching
207 assistance to counties and municipalities with remaining
208 eligibility in accordance with the provisions of subsection (5) of
209 this section. Unexpended amounts remaining in the fund at the end
210 of a fiscal year shall not lapse into the State General Fund, and
211 any interest earned on amounts in the fund shall be deposited to
212 the credit of the fund.

213 (5) Subject to appropriation by the Legislature, the
214 Department of Insurance may provide funds to counties and
215 municipalities out of the Rural Fire Truck Matching Assistance
216 Fund in an amount exceeding the amount authorized in subsection
217 (3) of this section. However, the total amount of funds allowed
218 under this subsection combined with the funds provided in
219 subsection (3) of this section shall not exceed eighty percent
220 (80%) of the purchase price of the rural fire truck. A county or
221 municipality is eligible for such matching assistance upon meeting
222 the following criteria:



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

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

230 * * *

231 **SECTION 2.** Section 25-15-409, Mississippi Code of 1972, is
232 amended as follows:

233 25-15-409. (1) The state, municipality, county or fire
234 protection district shall, no later than January 1, 2024, show
235 proof of insurance coverage that meets the requirements of this
236 article to the Commissioner of Insurance, or shall show
237 satisfactory proof of the ability to pay such compensation to
238 ensure adequate coverage for all eligible first responders.

239 (2) The Commissioner of Insurance shall adopt such rules and
240 regulations as are reasonable and necessary to implement the
241 provisions of this article. Such regulations shall include the
242 process by which a first responder files a claim for cancer and
243 the process by which claimants can appeal a denial of benefits.

244 (3) The Commissioner of Insurance shall adopt rules to
245 establish firefighter cancer prevention best practices as it
246 relates to personal protective equipment, decontamination, fire
247 suppression, apparatus and fire stations.



248 (4) The Commissioner of Insurance may contract with a third
249 party vendor to administer the benefits provided under the
250 Mississippi First Responders Health and Safety Act. Further, he
251 may expend up to ten percent (10%) of the monies in the fund for
252 the administration and management of the fund and for carrying out
253 the purposes of this section.

254 **SECTION 3.** Section 25-15-411, Mississippi Code of 1972, is
255 amended as follows:

256 25-15-411. There is created in the State Treasury a special
257 fund to be designated as the "Mississippi First Responders Health
258 and Safety Trust Fund" to be administered by the Commissioner of
259 Insurance, upon appropriation by the Legislature, to assist the
260 state, municipalities, counties and fire protection districts with
261 providing benefits required by the Mississippi First Responders
262 Health and Safety Act. * * * This fund shall consist of monies
263 provided to it through the provisions of Section 83-34-4(6), and
264 any monies which may be appropriated to it by the Legislature.
265 Unexpended amounts remaining in the fund at the end of a fiscal
266 year shall not lapse into the State General Fund, and any interest
267 earned on amounts in the fund shall be deposited to the credit of
268 the fund.

269 **SECTION 4.** Section 83-1-37, Mississippi Code of 1972, is
270 amended as follows:

271 83-1-37. (1) The Department of Revenue shall pay for credit
272 to a fund known as the "Municipal Fire Protection Fund," the sum



273 of Four Million Eight Hundred Fifty Thousand Dollars
274 (\$4,850,000.00) annually out of the insurance premium tax
275 collected annually from the taxes levied on the gross premiums on
276 fire insurance policies written on properties in this state, under
277 Sections 27-15-103 through 27-15-127. The State Treasurer shall
278 credit this amount to the Municipal Fire Protection Fund. This
279 fund shall be set aside and earmarked for payment to
280 municipalities in this state, as hereinafter provided.

281 (2) Using 1990 as a base year, the Department of Revenue
282 shall pay over annually to the State Treasurer, for credit to the
283 "Municipal Fire Protection Fund," an amount representing one-half
284 of * * * twenty percent (1/2 of * * * 20%) of any growth after
285 1990 of the insurance premium tax collected annually from the
286 taxes levied on the gross premium on fire insurance policies
287 written on properties in this state, under Sections 27-15-103
288 through 27-15-127.

289 (3) The fund hereby created and denominated "Municipal Fire
290 Protection Fund" shall be apportioned and paid over by the
291 Department of Insurance to the incorporated municipalities
292 certified as eligible to participate in the fund by the
293 Commissioner of Insurance, and shall be distributed in the
294 following manner annually: each municipality shall be paid Six
295 Thousand Dollars (\$6,000.00), with the remainder of the monies to
296 be paid on a population basis, to be determined by the most recent



297 federal census. Municipalities receiving these funds shall
298 earmark such monies for fire protection services.

299 (4) The amount paid under subsections (1) and (2) of this
300 section to a municipality shall be used and expended in accordance
301 with the guidelines established by the Commissioner of Insurance
302 authorized by Section 45-11-7, for the training of municipal
303 personnel as needed for the adoption of and compliance with the
304 minimum building codes as established and promulgated by the
305 Mississippi Building Codes Council, for windstorm mitigation
306 programs as approved by the Commissioner of Insurance, and for
307 emergency medical service training and equipment as provided by
308 municipal fire protection services. A municipality may provide
309 reasonable remuneration to municipal volunteer firefighters in
310 accordance with the guidelines established by the Commissioner of
311 Insurance authorized by Section 45-11-7.

312 (5) Each municipality shall levy a tax of not less than
313 one-fourth (1/4) mill on all property of the municipality or
314 appropriate the avails of not less than one-fourth (1/4) mill from
315 the municipality's general fund for fire protection purposes.
316 Municipalities may allow such millage to be collected by the
317 county. Each municipality shall annually provide the Commissioner
318 of Insurance and the State Fire Coordinator on a form provided by
319 the State Fire Coordinator a report stating whether the
320 municipality is levied the one-fourth (1/4) mill hereby required



321 or in lieu thereof is allowing such millage to be collected by the
322 county.

323 (6) The Commissioner of Insurance may promulgate rules and
324 regulations to establish guidelines for the use of fire rebate
325 funds.

326 **SECTION 5.** Section 83-1-39, Mississippi Code of 1972, is
327 amended as follows:

328 83-1-39. (1) The Department of Revenue shall pay over to
329 the State Treasurer, to be credited to a fund entitled "County
330 Volunteer Fire Department Fund," the sum of Four Million Eight
331 Hundred Fifty Thousand Dollars (\$4,850,000.00) annually out of the
332 insurance premium tax in addition to the amount collected by it
333 under the provisions of Section 27-15-103 et seq. Such funds,
334 hereinafter referred to as insurance rebate monies, are hereby
335 earmarked for payment to the various counties of the state and
336 shall be paid over to the counties by the Department of Insurance
337 in the following manner: each county shall be paid Thirty
338 Thousand Dollars (\$30,000.00), with the remainder of the monies to
339 be paid on the basis of the population of each county as it
340 compares to the population of participating counties, not counting
341 residents of any municipality. Such insurance rebate monies shall
342 only be distributed to those counties which are in compliance with
343 subsections (5) and (6) of this section.

344 (2) Using 1990 as a base year, the Department of Revenue
345 shall pay to the State Treasurer, to be credited to the "County



346 Volunteer Fire Department Fund," an amount representing one-half
347 of * * * twenty percent (1/2 of * * * 20%) of any growth after
348 1990 of the insurance premium tax collected annually from the
349 taxes levied on the gross premium on fire insurance policies
350 written on properties in this state, in addition to the amount
351 collected by it under Section 27-15-103 et seq.

352 (3) Insurance rebate monies shall be expended by the board
353 of supervisors for fire protection purposes of each county for the
354 following categories:

355 (a) For training expenses, including emergency medical
356 services training;

357 (b) Purchase of equipment, purchase of fire trucks,
358 repair and refurbishing of fire trucks and firefighting equipment,
359 for emergency medical services equipment, and capital construction
360 anywhere in the county or pledging as security for a period of not
361 more than ten (10) years for such purchases;

362 (c) Purchase of insurance on county-owned firefighting
363 or emergency medical services equipment;

364 (d) Fire protection service contracts, including, but
365 not limited to, municipalities, legal fire protection districts,
366 and nonprofit corporations providing or coordinating fire service
367 or emergency medical services in or out of the county;

368 (e) Appropriations to legal fire protection districts
369 located in counties subject to all restrictions applicable to the
370 use of insurance rebate monies;



371 (f) Training of any county personnel as needed for the
372 adoption of and compliance with the codes established and
373 promulgated by the Mississippi Building Codes Council or for
374 windstorm mitigation programs as approved by the Commissioner of
375 Insurance;

376 (g) Any county-owned equipment or other property, at
377 the option of the board of supervisors, may be used by any legally
378 created fire department;

379 (h) At the option of the board of supervisors, a county
380 may provide reasonable remuneration to volunteer firefighters in
381 accordance with the guidelines established by the Commissioner of
382 Insurance authorized by Section 45-11-7; or

383 (i) For any use allowed in accordance with the
384 guidelines as established by the Commissioner of Insurance.

385 (4) Insurance rebate monies not expended in a given fiscal
386 year for fire protection purposes shall be placed in a special
387 fund with a written plan approved by the Commissioner of Insurance
388 for disposition and expenditure of such monies. After the
389 contracts for fire protection services have been approved and
390 accepted by the board of supervisors, the monies shall be released
391 to be expended in such manner as provided by this section.

392 (5) No county shall receive payments pursuant to this
393 section after July 1, 1988, unless such county:

394 (a) Designates a county fire service coordinator who is
395 responsible for seeing that standard guidelines established by the



396 Commissioner of Insurance pursuant to Section 45-11-7(9),
397 Mississippi Code of 1972, are followed. The county fire
398 coordinator must demonstrate that he possesses fire-related
399 knowledge and experience;

400 (b) Designates one (1) member of the sheriff's
401 department to be the county fire investigator and, from and after
402 July 1, 2008, requires the designated member of the sheriff's
403 department to attend the State Fire Academy to be trained in arson
404 investigation; however, in the event of a loss of the county fire
405 investigator due to illness, death, resignation, discharge or
406 other legitimate cause, notice shall be immediately given to the
407 Commissioner of Insurance and the county may continue to receive
408 payments on an interim basis for a period not to exceed one (1)
409 year;

410 (c) Adheres to the standard guidelines established by
411 the Commissioner of Insurance pursuant to Section 45-11-7(9); and

412 (d) Counties shall levy a tax of not less than
413 one-fourth (1/4) mill on all property of the county or appropriate
414 avails of not less than one-fourth (1/4) mill from the county's
415 general fund for fire protection purposes. Municipalities making
416 a written declaration to the county that they fund and provide
417 their own fire services shall be exempted from this levy. This
418 levy shall be used for fire protection purposes which include, but
419 are not limited to, contracting with any provider of fire
420 protection services.



421 (6) (a) No funds shall be paid by the county to any
422 provider of fire protection services except in accordance with a
423 written contract entered into in accordance with guidelines
424 established by the Commissioner of Insurance and properly approved
425 by the board of supervisors and Commissioner of Insurance. No
426 county shall distribute funds to any fire service provider which
427 has not met the reporting requirements required by the
428 Commissioner of Insurance. At such time that a fire protection
429 services provider, particularly a county volunteer fire
430 department, a municipality or a fire protection district, has
431 fulfilled the obligations of the written contract and has met the
432 reporting requirements provided for in this subsection and the
433 board of supervisors has received the insurance rebate monies, the
434 board of supervisors shall disburse the appropriate amount to the
435 fire protection services provider within a reasonable time, not to
436 exceed six (6) weeks, from the time such requirements are met.
437 Insurance rebate monies used for the purposes of contracting shall
438 be expended by the fire service provider for capital construction,
439 training expenses, purchase of firefighting equipment, including
440 payments on any loans made for the purpose of purchasing
441 firefighting equipment, purchase of insurance for any fire
442 equipment owned or operated by the provider, and for training and
443 equipment of emergency medical services as provided by fire
444 protection services.



445 (b) If the Commissioner of Insurance believes that a
446 county is using the funds in a manner not consistent with
447 subsections (5) and (6) of this section, the commissioner shall
448 request the State Auditor to conduct an investigation pursuant to
449 Section 7-7-211(e).

450 (7) The board of supervisors of any county may contribute
451 funds directly to any provider of fire protection services serving
452 such county. Such contributions must be used for fire protection
453 purposes as may be reasonably established by the Commissioner of
454 Insurance.

455 (8) Any municipal, county or local water association or
456 other utility district supplying water may, upon adoption of a
457 resolution authorizing such action, contribute free of charge to a
458 volunteer fire department or fire protection district serving such
459 local government, political subdivision or utility district such
460 water as is necessary for firefighting or training activities of
461 such volunteer fire department or fire protection district.

462 (9) The board of supervisors of any county may, in its
463 discretion, grade, gravel, shell and/or maintain real property of
464 a county volunteer fire department, including roads or driveways
465 thereof, as necessary for the effective and safe operation of such
466 county volunteer fire department. Any action taken by the board
467 of supervisors under the authority of this subsection shall be
468 spread upon the minutes of the board of supervisors when the work
469 is authorized.



470 (10) For the purpose of this section, "fire protection
471 district" means a district organized under Section 19-5-151 et
472 seq., or pursuant to any other code section or by any local and
473 private act authorizing the establishment of a fire protection
474 district, unless the context clearly requires otherwise.

475 (11) The Commissioner of Insurance may promulgate rules and
476 regulations to establish guidelines for the use of fire rebate
477 funds.

478 **SECTION 6.** Section 83-5-72, Mississippi Code of 1972, is
479 brought forward as follows:

480 83-5-72. All life, health and accident insurance companies
481 and health maintenance organizations doing business in this state
482 shall contribute annually, at such times as the Insurance
483 Commissioner shall determine, in proportion to their gross
484 premiums collected within the State of Mississippi during the
485 preceding year, to a special fund in the State Treasury to be
486 known as the "Insurance Department Fund" to be expended by the
487 Insurance Commissioner in the payment of the expenses of the
488 Department of Insurance as the commissioner may deem necessary.
489 The commissioner is hereby authorized to employ such actuarial and
490 other assistance as shall be necessary to carry out the duties of
491 the department; and the employees shall be under the authority and
492 direction of the Insurance Commissioner. The amount to be
493 contributed annually to the fund shall be fixed each year by the
494 Insurance Commissioner at a percentage of the gross premiums so



495 collected during the preceding year. However, a minimum
496 assessment of One Hundred Dollars (\$100.00) shall be charged each
497 licensed life, health and accident insurance company regardless of
498 the gross premium amount collected during the preceding year.

499 The total contributions collected for the Insurance
500 Department Fund shall not exceed the sum of Seven Hundred Fifty
501 Thousand Dollars (\$750,000.00) in each fiscal year.

502 From and after July 1, 2016, the expenses of this agency
503 shall be defrayed by appropriation from the State General Fund and
504 all user charges and fees authorized under this section shall be
505 deposited into the State General Fund as authorized by law.

506 From and after July 1, 2016, no state agency shall charge
507 another state agency a fee, assessment, rent or other charge for
508 services or resources received by authority of this section.

509 **SECTION 7.** This act shall take effect and be in force from
510 and after July 1, 2024.

