

By: Representatives Carpenter, Keen,  
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To: Insurance

HOUSE BILL NO. 1028

1 AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO  
2 REMOVE THE REQUIREMENT THAT A COUNTY HAS RECEIVED FUNDING FOR NO  
3 MORE THAN EIGHT ROUNDS FROM THE RURAL FIRE TRUCK ACQUISITION  
4 ASSISTANCE PROGRAM IN ORDER TO RECEIVE ADDITIONAL MATCHING  
5 ASSISTANCE UNDER THE PROGRAM; AND FOR RELATED PURPOSES.

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

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

9 17-23-1. (1) There is established the 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 that amount necessary to fulfill the obligations  
16 created under this section by the Department of Insurance, from  
17 the State General Fund to such special fund, which sum shall be  
18 added to the remainder of the money transferred on July 1, 1995,  
19 and during the 1996 Regular Session to the Rural Fire Truck Fund.



20 Unexpended amounts remaining in the fund at the end of a fiscal  
21 year shall not lapse into the State General Fund, and any interest  
22 earned on amounts in the fund shall be deposited to the credit of  
23 the fund. Unobligated amounts remaining in the Rural Fire Truck  
24 Fund, Fund No. 3507, or in any fund created for funds appropriated  
25 or otherwise made available for this program, may be used as  
26 matching funds by any county with remaining eligibility as  
27 provided herein. It is the intent of the Legislature that the  
28 Department of Insurance continue to accept applications from the  
29 counties for fire trucks as provided in subsection (3) of this  
30 section.

31 (3) (a) A county that meets the requirements provided  
32 herein may receive an amount not to exceed One Million Ten  
33 Thousand Dollars (\$1,010,000.00) as provided in subparagraphs (i),  
34 (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi),  
35 (xii) and (xiii) of this paragraph, and such amount shall be  
36 divided as follows: an amount of not more than Fifty Thousand  
37 Dollars (\$50,000.00) per fire truck for the first six (6) trucks  
38 and not more than Seventy Thousand Dollars (\$70,000.00) per fire  
39 truck for the seventh, eighth, ninth, tenth and eleventh trucks,  
40 and not more than Ninety Thousand Dollars (\$90,000.00) per fire  
41 truck for the twelfth, thirteenth, fourteenth and fifteenth truck.  
42 Monies distributed under this chapter shall be expended only for  
43 the purchase of new or used fire trucks and such trucks must meet  
44 the National Fire Protection Association (NFPA) standards in the



45 1900 series and be approved by the Rural Fire Truck Review  
46 Committee.

47 (i) Any county that has not applied for a fire  
48 truck under this section is eligible to submit applications for  
49 fifteen (15) fire trucks as follows: six (6) fire trucks at not  
50 more than Fifty Thousand Dollars (\$50,000.00) per truck and five  
51 (5) fire trucks at not more than Seventy Thousand Dollars  
52 (\$70,000.00) per truck, and four (4) fire trucks at not more than  
53 Ninety Thousand Dollars (\$90,000.00) per truck or a total of One  
54 Million Ten Thousand Dollars (\$1,010,000.00).

55 (ii) Any county that has received one (1) fire  
56 truck under this section is eligible to submit applications for  
57 fourteen (14) fire trucks as follows: five (5) fire trucks at not  
58 more than Fifty Thousand Dollars (\$50,000.00) per truck and five  
59 (5) fire trucks at not more than Seventy Thousand Dollars  
60 (\$70,000.00) per truck, and four (4) fire trucks at not more than  
61 Ninety Thousand Dollars (\$90,000.00) per truck or a total of Nine  
62 Hundred Sixty Thousand Dollars (\$960,000.00).

63 (iii) Any county that has received two (2) fire  
64 trucks under this section is eligible to submit an application for  
65 thirteen (13) fire trucks as follows: four (4) 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 not  
70 more than Nine Hundred Ten Thousand Dollars (\$910,000.00).

71 (iv) Any county that has received three (3) fire  
72 trucks under this section is eligible to submit an application for  
73 twelve (12) fire trucks as follows: three (3) 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 not  
78 more than Eight Hundred Sixty Thousand Dollars (\$860,000.00).

79 (v) Any county that has received four (4) fire  
80 trucks under this section is eligible to submit an application for  
81 eleven (11) fire trucks as follows: two (2) 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 Eight Hundred Ten Thousand Dollars (\$810,000.00).

87 (vi) Any county that has received five (5) fire  
88 trucks under this section is eligible to submit an application for  
89 ten (10) fire trucks as follows: one (1) fire truck at not more  
90 than Fifty Thousand Dollars (\$50,000.00) per truck and five (5)  
91 fire trucks at not more than Seventy Thousand Dollars (\$70,000.00)  
92 per truck, and four (4) fire trucks at not more than Ninety



93 Thousand Dollars (\$90,000.00) per truck or a total of not more  
94 than Seven Hundred Sixty Thousand Dollars (\$760,000.00).

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

102 (viii) Any county that has received seven (7) fire  
103 trucks under this section is eligible to submit an application for  
104 eight (8) fire trucks as follows: four (4) fire trucks at not  
105 more than Seventy Thousand Dollars (\$70,000.00) per truck, and  
106 four (4) fire trucks at not more than Ninety Thousand Dollars  
107 (\$90,000.00) per truck or a total of not more than Six Hundred  
108 Forty Thousand Dollars (\$640,000.00).

109 (ix) Any county that has received eight (8) fire  
110 trucks under this section is eligible to submit an application for  
111 seven (7) fire trucks as follows: three (3) fire trucks at not  
112 more than Seventy Thousand Dollars (\$70,000.00) per truck, and  
113 four (4) fire trucks at not more than Ninety Thousand Dollars  
114 (\$90,000.00) per truck or a total of not more than Five Hundred  
115 Seventy Thousand Dollars (\$570,000.00).

116 (x) Any county that has received nine (9) fire  
117 trucks under this section is eligible to submit an application for



118 six (6) fire trucks as follows: two (2) fire trucks at not more  
119 than Seventy Thousand Dollars (\$70,000.00) per truck, and four (4)  
120 fire trucks at not more than Ninety Thousand Dollars (\$90,000.00)  
121 per truck or a total of not more than Five Hundred Thousand  
122 Dollars (\$500,000.00).

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

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

134 (xiii) Any county may apply for four (4) fire  
135 trucks at not more than Ninety Thousand Dollars (\$90,000.00) per  
136 truck as provided in subparagraph (xii), provided that the county  
137 agrees to forego any previous fire truck under subparagraphs (i)  
138 through (xi) for which the county has not previously applied, and  
139 that the county has received approval from the Rural Fire Truck  
140 Acquisition Assistance Program Committee to apply for and receive  
141 a truck under subparagraph (xii).



142           (b) The board of supervisors of the county shall submit  
143 its request for the receipt of monies to the Department of  
144 Insurance. A committee composed of the Commissioner of Insurance,  
145 the State Fire Coordinator, the Director of the Rating Bureau and  
146 the Director of the State Fire Academy shall review the requests  
147 by the boards of supervisors and shall determine whether the  
148 county or municipality for which the board of supervisors has  
149 requested a truck meets the requirements of eligibility under this  
150 chapter.

151           (c) To be eligible to receive monies under this  
152 chapter:

153                   (i) A county or municipality must pledge to set  
154 aside or dedicate each year as matching funds, for a period not to  
155 extend over ten (10) years, local funds in an amount equal to or  
156 not less than one-tenth (1/10) of the amount of monies for which  
157 it is requesting distribution from the Rural Fire Truck Fund,  
158 which pledged monies may be derived from local ad valorem tax  
159 authorized by law or from any other funds available to the county  
160 or municipality, except for those funds received by municipalities  
161 or counties from the Municipal Fire Protection Fund or the County  
162 Volunteer Fire Department Fund, as defined in Sections 83-1-37 and  
163 83-1-39.

164                   (ii) A municipality must provide adequate  
165 documentation of its contract with the county that requires the  
166 municipality to provide fire protection in rural areas. The term



167 "rural areas" means any area within the county located outside the  
168 boundaries of an incorporated municipality or any incorporated  
169 municipality with a population of two thousand five hundred  
170 (2,500) or less.

171 (d) The Department of Insurance shall maintain an  
172 accurate record of all monies distributed to counties and  
173 municipalities and the number of fire trucks purchased and the  
174 cost for each fire truck, such records to be kept separate from  
175 other records of the Department of Insurance; notify counties and  
176 municipalities of the Rural Fire Truck Acquisition Assistance  
177 Program and the requirements for them to become eligible to  
178 participate; adopt and promulgate such rules and regulations as  
179 may be necessary and desirable to implement the provisions of this  
180 chapter; and file with the Legislature a report detailing how  
181 monies made available under this chapter were distributed and  
182 spent during the preceding portion of the fiscal year in each  
183 county and municipality, the number of fire trucks purchased, the  
184 counties and municipalities making such purchases, and the cost of  
185 each fire truck purchased.

186 (4) There is created in the State Treasury a special fund to  
187 be designated as the "Rural Fire Truck Matching Assistance Fund,"  
188 which shall consist of funds appropriated by the Legislature from  
189 the State General Fund or any other special source fund. The  
190 Department of Insurance shall use the funds for matching  
191 assistance to counties and municipalities with remaining





192 eligibility in accordance with the provisions of subsection (5) of  
193 this section. Unexpended amounts remaining in the fund at the end  
194 of a fiscal year shall not lapse into the State General Fund, and  
195 any interest earned on amounts in the fund shall be deposited to  
196 the credit of the fund.

197 (5) Subject to appropriation by the Legislature, the  
198 Department of Insurance may provide funds to counties and  
199 municipalities out of the Rural Fire Truck Matching Assistance  
200 Fund in an amount exceeding the amount authorized in subsection  
201 (3) of this section. However, the total amount of funds allowed  
202 under this subsection combined with the funds provided in  
203 subsection (3) of this section shall not exceed eighty percent  
204 (80%) of the purchase price of the rural fire truck. A county or  
205 municipality is eligible for such matching assistance upon meeting  
206 the following criteria:

207 (a) The county or municipality's application is  
208 approved for funding in accordance with the criteria in subsection  
209 (3) of this section; and

210 (b) The department determines that the county or  
211 municipality does not have sufficient funds available for the  
212 purchase of a rural fire truck with the funds authorized in  
213 subsection (3) of this section \* \* \*.

214 **SECTION 2.** This act shall take effect and be in force from  
215 and after its passage.

