MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Byrd To: Ways and Means

HOUSE BILL NO. 495

AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

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

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

17-23-1. (1) There is established the Rural Fire Truck Acquisition Assistance Program to be administered by the Department of Insurance for the purpose of assisting counties and municipalities in the acquisition of fire trucks.

(2) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Fund." The Legislature may appropriate that amount necessary to fulfill the obligations created under this section by the Department of Insurance, from the State General Fund to such special fund, which sum shall be added to the remainder of the money transferred on July 1, 1995, and during the 1996 Regular Session to the Rural Fire Truck Fund. Unexpended amounts remaining in the fund at the end of a fiscal

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

(3) (a) A county that meets the requirements provided herein may receive an amount not to exceed *** * *** Nine Hundred Twenty Thousand Dollars ($920,000.00) as provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii) and (xiii) of this paragraph, and such amount shall be divided as follows: an amount of not more than Fifty Thousand Dollars ($50,000.00) per fire truck for the first six (6) trucks and not more than Seventy Thousand Dollars ($70,000.00) per fire truck for the seventh, eighth, ninth, tenth and eleventh trucks, and not more than Ninety Thousand Dollars ($90,000.00) per fire truck for the twelfth *** * ***, thirteenth and fourteenth truck. Monies distributed under this chapter shall be expended only for the 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 * * * fourteen (14) fire trucks as follows: six (6) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of * * * Nine Hundred Twenty Thousand Dollars ($920,000.00).

(ii) Any county that has received one (1) fire truck under this section is eligible to submit applications for * * * thirteen (13) fire trucks as follows: five (5) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of * * * Eight Hundred Seventy Thousand Dollars ($870,000.00).

(iii) Any county that has received two (2) fire trucks under this section is eligible to submit an application for * * * twelve (12) fire trucks as follows: four (4) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a

total of not more than * * * Eight Hundred Twenty Thousand Dollars ($820,000.00).

(iv) Any county that has received three (3) fire trucks under this section is eligible to submit an application for * * * eleven (11) fire trucks as follows: three (3) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Seven Hundred Seventy Thousand Dollars ($770,000.00).

(v) Any county that has received four (4) fire trucks under this section is eligible to submit an application for * * * ten (10) fire trucks as follows: two (2) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Seven Hundred Twenty Thousand Dollars ($720,000.00).

(vi) Any county that has received five (5) fire trucks under this section is eligible to submit an application for * * * nine (9) fire trucks as follows: one (1) fire truck at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars

($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Six Hundred Seventy Thousand Dollars ($670,000.00).

(vii) Any county that has received six (6) fire trucks under this section is eligible to submit an application for * * * eight (8) fire trucks as follows: five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Six Hundred Twenty Thousand Dollars ($620,000.00).

(viii) Any county that has received seven (7) fire trucks under this section is eligible to submit an application for * * * seven (7) fire trucks as follows: four (4) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Five Hundred Fifty Thousand Dollars ($550,000.00).

(ix) Any county that has received eight (8) fire trucks under this section is eligible to submit an application for * * * six (6) fire trucks as follows: three (3) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Four Hundred Eighty Thousand Dollars ($480,000.00).

(x) Any county that has received nine (9) fire trucks under this section is eligible to submit an application for * * * five (5) fire trucks as follows: two (2) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Four Hundred Ten Thousand Dollars ($410,000.00).

(xi) Any county that has received ten (10) fire trucks under this section is eligible to submit an application for * * * four (4) fire trucks as follows: one (1) fire truck at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Three Hundred Forty Thousand Dollars ($340,000.00).

(xii) Any county that has received eleven (11) fire trucks under this section is eligible to submit an application for * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck.

(xiii) Any county may apply for * * * three (3) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck as provided in subparagraph (xii), provided that the county agrees to forego any previous fire truck under subparagraphs (i) through (xi) for which the county has not previously applied, and that the county has received approval from

the Rural Fire Truck Acquisition Assistance Program Committee to apply for and receive a truck under subparagraph (xii).

(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 chapter.

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

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

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

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

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.