

**Hall of the House of Representatives**  
85th General Assembly - Regular Session, 2005  
**Amendment Form**

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**Subtitle of House Bill No. 2553**

"AN ACT TO INCREASE THE PREMIUM TAX AND TO ESTABLISH THE ARKANSAS  
EMERGENCY PREPAREDNESS FUND."

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**Amendment No. 1 to House Bill No. 2553.**

Amend House Bill No. 2553 as originally introduced:

Page 2, line 4, delete "(b)" and substitute "(b)(1)"

AND

Page 2, delete line 6, and substitute the following:

"Emergency Preparedness Fund to be disbursed as grants as authorized in this section.

(2) The funds and the recipients of the funds shall be audited by legislative audit to assure the funds are used in accordance with this section pursuant to the implementation plan of the Arkansas Association of Resource Conservation and Development Councils.

(3) The Arkansas Association of Resource Conservation and Development Councils may promulgate rules, prescribe forms, and develop an implementation plan for the proper enforcement of this section."

AND

Page 2, line 9, delete "quarterly by" and substitute "quarterly as grants by"

AND

Page 2, delete lines 21 through 26, and substitute the following:

"funds from the Arkansas Emergency Preparedness Fund, the local emergency jurisdiction must:

(A) Be in compliance with all requirements of the Arkansas Department of Emergency Management;"

AND

Page 2, line 27, delete "(iii)" and substitute "(B)"

AND



Page 2, line 30, delete "(iv)" and substitute "(C)"

AND

Page 2, line 31, delete "; and" and substitute "."

AND

Page 2, delete lines 32 through 35

AND

Page 3, line 6, delete "extraction" and substitute "extrication"

AND

Page 3, line 8, delete "local" and substitute "certified fire departments; and"

AND

Page 3, delete line 9

AND

Page 3, delete lines 15 through 36, and substitute the following:

"(d)(1)(A) Sixty-six percent (66%) of the premium tax moneys collected and deposited in the Arkansas Emergency Preparedness Fund under subsection (a) of this section shall be disbursed quarterly by the Department of Finance and Administration to the Arkansas Association of Resource Conservation and Development Councils under the oversight of the Soil and Water Commission.

(B)(i) Fifty percent (50%) of the funds received by the Arkansas Association of Resource Conservation and Development Councils shall be disbursed on an equal basis to each certified fire department in State of Arkansas.

(ii) The county of residence of the headquarters for the fire department shall serve as the pass-through entity pursuant to the implementation plan of the Arkansas Association of Resource Conservation and Development Councils.

(iii) The funds shall only be used for fire suppression, fire rescue equipment, and equipment tests required by the Insurance Service Office.

(C)(i) The remaining fifty percent (50%) of the funds received by the Arkansas Association of Resource Conservation and Development Councils shall be disbursed to certified fire department and rural volunteer fire improvement districts with a certification by the Director of the Office of Fire Protection Services of the Arkansas Department of Emergency Management in the form of a special needs supplement grant allocated on the basis of need as reflected by the annual certification of fire suppression ability as assigned by the Insurance Service Office and on the basis of feasibility in conjunction with the stated objective of lowering the

applicant's Insurance Service Office rating and lowering the insurance premiums for the insurance policy holders in that district.

(ii) The county of residence of the headquarters for the fire department shall serve as the pass through entity pursuant to the implementation plan of the Arkansas Association of Resource Conservation and Development Councils.

(2) To be eligible to receive grant funds from the Arkansas Emergency Preparedness Fund, the fire departments must be certified by the Director of the Office of Fire Protection Services under § 20-22-806.

(3) The funds shall only be used for:

(A) Fire suppression;

(B) Fire rescue equipment; and

(C) Equipment tests required by the Insurance Service

Office.

(4) Funds received by a fire department that are not used or are not used in compliance with subsection (d) of this section must be returned to the Arkansas Emergency Preparedness Fund within one (1) year of the date the funds were received, unless the funds are being held for a purchase authorized by a grant application for equipment purchase approved by the Arkansas Association of Resource Conservation and Development Councils."

AND

Page 4, delete lines 1 through 20

AND

Page 4, delete lines 27 through 29, and substitute the following:

"(b) The fund shall be used by local emergency jurisdictions and fire departments certified by the Director of the Office of Fire Protection Services of the Arkansas Department of Emergency Management."

AND

Page 4, delete lines 32 through 36, and substitute the following:

"General Assembly of the State of Arkansas that due to emergencies that threaten loss of life and property from fires, motor vehicle accidents, natural disasters, and terrorism; that due to the reduction in federal assistance and funding, additional funds are needed to prepare the local emergency jurisdictions and fire departments for all such emergencies; and that this act is immediately necessary to protect the citizens of the State of Arkansas and their property. Therefore, an"

AND

Page 5, delete line 1

The Amendment was read \_\_\_\_\_  
By: Representative Wyatt  
MMC/BKA - 03-30-2005 09:45  
MMC230 \_\_\_\_\_ Chief Clerk