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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **2810**

03/10/2016 Authored by Howe, Theis, Heintzeman, Newberger, O'Driscoll and others

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; modifying public safety officer death benefits; adopting
1.3 definitions of the hometown heroes act; amending Minnesota Statutes 2014,
1.4 sections 299A.41, subdivision 3; 353.01, subdivision 43.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 299A.41, subdivision 3, is amended to read:

1.7 Subd. 3. **Killed in the line of duty.** "Killed in the line of duty" does not include
1.8 deaths from natural causes, except as provided in this subdivision. In the case of a peace
1.9 public safety officer, "killed in the line of duty" includes the death of an a public safety
1.10 officer caused by accidental means while the peace public safety officer is acting in the
1.11 course and scope of duties as a peace public safety officer. Killed in the line of duty also
1.12 means if a public safety officer dies as the direct and proximate result of a heart attack or
1.13 stroke, that officer shall be presumed to have died as the direct and proximate result of a
1.14 personal injury sustained in the line of duty if:

1.15 (1) that officer, while on duty:

1.16 (i) engaged in a situation, and that engagement involved nonroutine, stressful, or
1.17 strenuous physical law enforcement, fire suppression, rescue, hazardous material response,
1.18 emergency medical services, prison security, disaster relief, or other emergency response
1.19 activity; or

1.20 (ii) participated in a training exercise, and that participation involved nonroutine,
1.21 stressful, or strenuous physical activity;

1.22 (2) that officer died as a result of a heart attack or stroke suffered:

1.23 (i) while engaging or participating under clause (1);

1.24 (ii) while still on duty after engaging or participating under clause (1); or

- 2.1 (iii) not later than 24 hours after engaging or participating under clause (1); and
2.2 (3) the presumption is not overcome by competent medical evidence to the contrary.

2.3 Sec. 2. Minnesota Statutes 2014, section 353.01, subdivision 43, is amended to read:

2.4 Subd. 43. **Line of duty death.** "Line of duty death" means:

2.5 (1) a death that occurs while performing or as a direct result of performing normal or
2.6 less frequent duties which are specific to protecting the property and personal safety of
2.7 others and that present inherent dangers that are specific to the positions covered by the
2.8 public employees police and fire plan; or

2.9 (2) a death determined by the commissioner of public safety that meets the
2.10 requirements of sections 299A.41 to 299A.46.

2.11 Sec. 3. **EFFECTIVE DATE.**

2.12 Sections 1 and 2 are effective the day following final enactment.