

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 2743

(SENATE AUTHORS: PAPPAS and Latz)

DATE	D-PG	OFFICIAL STATUS
03/14/2016	5041	Introduction and first reading Referred to Judiciary
03/23/2016	5214a	Comm report: To pass as amended and re-refer to State and Local Government
03/29/2016	5310a	Comm report: To pass as amended and re-refer to Finance

A bill for an act

1.1 relating to public safety; modifying public safety officer death benefits; adding
 1.2 State Patrol officers who provide security for the Capitol to those defined
 1.3 as public safety officers; adopting definitions of the hometown heroes act;
 1.4 amending Minnesota Statutes 2014, sections 299A.41, subdivisions 3, 4; 353.01,
 1.5 subdivision 43.
 1.6

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

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

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

1.17 (1) that officer, while on duty:

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

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

1.24 (2) that officer died as a result of a heart attack, stroke, or vascular rupture suffered:

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

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

2.4 Sec. 2. Minnesota Statutes 2014, section 299A.41, subdivision 4, is amended to read:

2.5 Subd. 4. **Public safety officer.** "Public safety officer" includes:

2.6 (1) a peace officer defined in section 626.84, subdivision 1, paragraph (c) or (d);

2.7 (2) a correction officer employed at a correctional facility and charged with
 2.8 maintaining the safety, security, discipline, and custody of inmates at the facility;

2.9 (3) an individual employed on a full-time basis by the state or by a fire department of
 2.10 a governmental subdivision of the state, who is engaged in any of the following duties:

2.11 (i) firefighting;

2.12 (ii) emergency motor vehicle operation;

2.13 (iii) investigation into the cause and origin of fires;

2.14 (iv) the provision of emergency medical services; or

2.15 (v) hazardous material responder;

2.16 (4) a legally enrolled member of a volunteer fire department or member of an
 2.17 independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;

2.18 (5) a good samaritan while complying with the request or direction of a public
 2.19 safety officer to assist the officer;

2.20 (6) a reserve police officer or a reserve deputy sheriff while acting under the
 2.21 supervision and authority of a political subdivision;

2.22 (7) a driver or attendant with a licensed basic or advanced life-support transportation
 2.23 service who is engaged in providing emergency care;

2.24 (8) a first responder who is certified by the emergency medical services regulatory
 2.25 board to perform basic emergency skills before the arrival of a licensed ambulance service
 2.26 and who is a member of an organized service recognized by a local political subdivision
 2.27 to respond to medical emergencies to provide initial medical care before the arrival of
 2.28 an ambulance; and

2.29 (9) a person, other than a state trooper, employed by the commissioner of public
 2.30 safety and assigned to the State Patrol, whose primary employment duty is either Capitol
 2.31 security or the enforcement of commercial motor vehicle laws and regulations.

2.32 Sec. 3. Minnesota Statutes 2014, section 353.01, subdivision 43, is amended to read:

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

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

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

3.7 Sec. 4. **EFFECTIVE DATE.**

3.8 Sections 1, 2, and 3 are effective the day following final enactment.