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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 4133

03/09/2026 Authored by Moller, Stephenson, Rehrauer and Kraft
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy
03/16/2026 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to insurance; prohibiting certain exclusions in homeowner's insurance
1.3 policies when damage is done by a peace officer; amending Minnesota Statutes
1.4 2024, section 65A.27, subdivision 1; proposing coding for new law in Minnesota
1.5 Statutes, chapter 65A.

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

1.7 Section 1. Minnesota Statutes 2024, section 65A.27, subdivision 1, is amended to read:

1.8 Subdivision 1. **Scope.** For purposes of sections 65A.27 to ~~65A.302~~ 65A.304, the following
1.9 terms have the meanings given.

1.10 EFFECTIVE DATE. This section is effective January 1, 2027, and applies to
1.11 homeowner's insurance policies offered, issued, or renewed on or after that date.

1.12 Sec. 2. [65A.304] DAMAGE BY PEACE OFFICERS; MITIGATION.

1.13 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.14 the meanings given.

1.15 (b) "Industrial hygienist" means an individual who has:

1.16 (1) a certified industrial hygienist credential from the Board for Global EHS

1.17 Credentialing; or

1.18 (2) an equivalent certification from a nationally or internationally recognized accrediting
1.19 body demonstrating competency in the anticipation, recognition, evaluation, and control of
1.20 occupational and environmental health hazards.

2.1 (c) "Just compensation" has the meaning given in section 626.74, subdivision 1, clause
2.2 (1).

2.3 (d) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph
2.4 (c).

2.5 Subd. 2. **Exclusion prohibited.** (a) A policy of homeowner's insurance must not include
2.6 an exclusion for circumstances when the homeowner is owed just compensation under
2.7 section 626.74 for damage due to a peace officer's use of chemical irritants, smoke screens,
2.8 or diversionary devices.

2.9 (b) Nothing in this section affects a local government's duty to pay just compensation
2.10 under section 626.74.

2.11 (c) Nothing in this section prohibits an insurer from requiring a homeowner to subrogate
2.12 the homeowner's interest in the just compensation to the insurer.

2.13 Subd. 3. **Mitigation.** (a) Under a policy of homeowner's insurance, an insurer must allow
2.14 a homeowner to choose a mitigation contractor and, if necessary, an industrial hygienist to
2.15 resolve damage due to a peace officer's use of chemical irritants, smoke screens, or
2.16 diversionary devices, when the homeowner is owed just compensation under section 626.74.

2.17 (b) The work performed by a mitigation contractor or industrial hygienist under this
2.18 subdivision must follow recognized industry standards and, if applicable, chemical
2.19 manufacturer guidelines in a safety data sheet.

2.20 **EFFECTIVE DATE.** This section is effective January 1, 2027, and applies to
2.21 homeowner's insurance policies offered, issued, or renewed on or after that date.