

423A.06 MINIMUM DISABILITY BENEFIT COVERAGE FOR CERTAIN POLICE OFFICERS AND FIREFIGHTERS.

Subdivision 1. **Disability benefit coverage.** Notwithstanding any provision of law, municipal charter, municipal ordinance, municipal resolution, relief association articles of incorporation or relief association bylaws to the contrary, any person who is a member of a covered local police or salaried firefighters' relief association enumerated in subdivision 3 where the governing body of the appropriate municipality has approved the modification in the benefit plan of the relief association and who becomes disabled in the line of duty, or not in the line of duty, if the benefit is subject to the provisions of this section as specified in subdivision 3, as that disability is defined in and as that disability is determined pursuant to the statute, special law, articles of incorporation or bylaws governing the relief association, shall be entitled to a disability benefit calculated pursuant to subdivision 2.

Subd. 2. **Disability benefit amount.** The amount of the monthly disability benefit shall be equal to 40 percent of the salary payable by the municipality on the date of disability to a top grade patrol officer or a top grade firefighter, whichever is applicable. If the service pension payable to retiring members by the relief association is subject to annual automatic postretirement adjustments or is in any fashion escalated, the disability benefit shall also be adjusted or escalated in the same manner, at the same times, and in the same amounts as service pensions are adjusted or escalated.

Subd. 3. **Covered relief associations and covered type of disability benefit.** The provisions of this section shall apply to the active members of a local police or salaried firefighters' relief association contained in the following enumeration of covered relief associations if the governing body of the applicable municipality approves the modification in the benefit plan of the relief association specified in this section following consideration of an actuarial valuation which is, or an actuarial estimate based on the most recent actuarial valuation which was, prepared in accordance with sections 356.215 and 356.216, based on the benefit plan of the appropriate local relief association including the modification provided for in this subdivision and files a resolution indicating approval of the modification in the benefit plan with the secretary of state, the commissioner of commerce, and the executive director of the legislative commission on pensions and retirement on or before the first day of the tenth full month following March 24, 1982, and shall apply to the type or types of disability benefit coverage indicated:

- (1) Chisholm Firefighters' Relief Association, disability not in the line of duty benefit;
- (2) Crookston Firefighters' Relief Association, disability not in the line of duty benefit;
- (3) Fairmont Police Relief Association, disability in the line of duty benefit and disability not in the line of duty benefit;
- (4) Hibbing Firefighters' Relief Association, disability in the line of duty benefit and disability not in the line of duty benefit;
- (5) Hibbing Police Relief Association, disability in the line of duty benefit and disability not in the line of duty benefit;
- (6) Virginia Police Relief Association, disability in the line of duty benefit and disability not in the line of duty benefit; and
- (7) West St. Paul Police Relief Association, disability in the line of duty benefit and disability not in the line of duty benefit.

History: *1982 c 610 s 2; 1983 c 289 s 114 subd 1; 1984 c 655 art 1 s 92; 1986 c 359 s 26*