

477C.02 QUALIFYING FOR POLICE STATE AID.

Subdivision 1. **Certification to commissioner.** (a) A certification made under this section must be filed with the commissioner on a form prescribed by the commissioner and must include all other facts that the commissioner requires.

(b) Except as provided in subdivision 2, on or before March 15 annually, the municipal clerk, municipal clerk-treasurer, or county auditor of each municipality employing one or more peace officers must certify to the commissioner the number of peace officers employed during the previous calendar year. No peace officer may be included in the certification by more than one municipality for the same month.

(c) Credit for peace officers employed less than a full year must be apportioned. Each full month of employment of a qualifying officer during the calendar year entitles the employing municipality to credit for 1/12 of the payment for employment of a peace officer for the entire year. For purposes of this chapter, employment of a peace officer begins when the peace officer is entered on the payroll of the employing municipality.

Subd. 2. **Departments of Natural Resources and Public Safety.** On or before March 15 annually, the commissioner of natural resources must certify the number of peace officers employed by the Enforcement Division and the commissioner of public safety must certify the number of peace officers employed by the Bureau of Criminal Apprehension, the Gambling Enforcement Division, and the State Patrol Division. The certification must be on the form described in subdivision 1, paragraph (a). Peace officers certified under this subdivision must be included in the total certifications under subdivision 1.

Subd. 3. **Ineligibility of certain peace officers.** A peace officer employed by the University of Minnesota who is required by the Board of Regents to be a member of the University of Minnesota faculty retirement plan is not eligible to be included in any police state aid certification under this section.

Subd. 4. **Penalty for failure to file certification.** (a) If a certification under subdivision 1 or 2 is not filed with the commissioner on or before March 15, the commissioner must notify the municipal clerk, municipal clerk-treasurer, or county auditor that a penalty equal to a portion or all of its current year aid will apply if the certification is not received within ten days.

(b) The penalty for failure to file the certification under subdivision 1 or 2 is equal to the amount of police state aid determined for the municipality for the current year, multiplied by five percent for each week or fraction of a week that the certification is late. The penalty must be computed beginning ten days after the postmark date of the commissioner's notification as required under this subdivision. All aid amounts forfeited as a result of the penalty revert to the state general fund. Failure to receive the certification form may not be used as a defense for a failure to file.

Subd. 5. **Determination by commissioner.** The commissioner must determine which municipalities are qualified to receive police state aid based on compliance with the requirements of this section. The commissioner may take into account any other relevant information that comes to the attention of the commissioner when making the determination.

History: *1Sp2019 c 6 art 20 s 2*