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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2560

01/29/2016 Authored by Zerwas

The bill was referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to retirement; authorizing payment of duty disability benefits from the
1.3 Public Employees Retirement Association police and fire fund under specified
1.4 circumstances.

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

1.6 Section 1. **RECALCULATION OF BENEFIT.**

1.7 (a) Notwithstanding any law to the contrary, an eligible person may rescind
1.8 a decision to receive a retirement annuity from the Public Employees Retirement
1.9 Association police and fire fund, and instead receive a duty disability benefit from the fund.

1.10 (b) An eligible person for purposes of this section is a person who:

1.11 (1) terminated service with the Fridley Police Department on December 31,
1.12 2008, and began receiving a retirement benefit from the Public Employees Retirement
1.13 Association police and fire fund in January, 2009; and

1.14 (2) within 60 days of the effective date of this section, submits evidence to the
1.15 executive director of the Public Employees Retirement Association demonstrating that at
1.16 the time of termination of service the person:

1.17 (i) would have been entitled to receive a duty disability benefit if the person had
1.18 applied for that benefit; and

1.19 (ii) was not aware of their entitlement to receive a duty disability benefit because of
1.20 a medical misdiagnosis that was later corrected.

1.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.22 The election to receive a duty disability benefit rather than a retirement benefit under this
1.23 section is retroactive to the date of termination of service.