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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4691

03/30/2022 Authored by Moller, Huot, Garofalo and Hansen, R., The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; expanding eligibility for public safety officer survivor
1.3 benefits; amending Minnesota Statutes 2020, section 299A.41, subdivision 3, by
1.4 adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2020, section 299A.41, subdivision 3, is amended to read:

1.7 Subd. 3. Killed in the line of duty. (a) "Killed in the line of duty" does not include
1.8 deaths from natural causes, except as provided in this subdivision. In the case of a public
1.9 safety officer, killed in the line of duty includes the death of a public safety officer caused
1.10 by accidental means while the public safety officer is acting in the course and scope of
1.11 duties as a public safety officer.

1.12 (b) Killed in the line of duty also means if a public safety officer dies as the direct and
1.13 proximate result of a heart attack, stroke, or vascular rupture, that officer shall be presumed
1.14 to have died as the direct and proximate result of a personal injury sustained in the line of
1.15 duty if:

1.16 (1) that officer, while on duty:

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

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

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

- 2.1 (i) while engaging or participating under clause (1);
- 2.2 (ii) while still on duty after engaging or participating under clause (1); or
- 2.3 (iii) not later than 24 hours after engaging or participating under clause (1); and
- 2.4 (3) the presumption is not overcome by competent medical evidence to the contrary.
- 2.5 (c) Killed in the line of duty also means if a public safety officer dies as a result of suicide
- 2.6 when:
- 2.7 (1) a licensed mental health provider previously diagnosed the officer with post-traumatic
- 2.8 stress disorder; and
- 2.9 (2) the officer's mental health provider determined the post-traumatic stress disorder
- 2.10 resulted from the officer's work as a public safety officer.

2.11 Sec. 2. Minnesota Statutes 2020, section 299A.41, is amended by adding a subdivision to

2.12 read:

2.13 Subd. 3a. **Post-traumatic stress disorder.** "Post-traumatic stress disorder" means the

2.14 condition as described in the most recently published edition of the Diagnostic and Statistical

2.15 Manual of Mental Disorders by the American Psychiatric Association.