

SF4667 - 2A - Line of Duty Death Survivor Ben. Eligibility Mod.

Chief Author: **Judy Seeberger**
 Committee: **Finance**
 Date Completed: **4/29/2026 1:23:20 PM**
 Lead Agency: **Public Safety Dept**
 Other Agencies:
 Administrative Hearings Office of Higher Education

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium		Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Office of Higher Education					
General Fund	-	-	177	177	177
Public Safety Dept					
General Fund	-	-	(13)	(13)	(13)
State Total					
General Fund	-	-	164	164	164
Total	-	-	164	164	164
Biennial Total			164		328

Full Time Equivalent Positions (FTE)		Biennium		Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Office of Higher Education					
General Fund	-	-	-	-	-
Public Safety Dept					
General Fund	-	-	-	-	-
Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Laura Cecko **Date:** 4/29/2026 1:23:20 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028
					FY2029
Office of Higher Education					
General Fund	-	-	177	177	177
Public Safety Dept					
General Fund	-	-	(13)	(13)	(13)
Total	-	-	164	164	164
Biennial Total			164		328
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Office of Higher Education					
General Fund	-	-	177	177	177
Public Safety Dept					
General Fund					
Expenditures	-	-	1,345	1,345	1,345
Absorbed Costs	-	-	(1,358)	(1,358)	(1,358)
Total	-	-	164	164	164
Biennial Total			164		328
2 - Revenues, Transfers In*					
Office of Higher Education					
General Fund	-	-	-	-	-
Public Safety Dept					
General Fund	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

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 Committee: **Finance**
 Date Completed: **4/29/2026 1:23:20 PM**
 Agency: **Public Safety Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Dollars in Thousands					
General Fund	-	-	(13)	(13)	(13)
Total	-	-	(13)	(13)	(13)
Biennial Total			(13)		(26)

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028
					FY2029
General Fund	-	-	(13)	(13)	(13)
Total	-	-	(13)	(13)	(13)
Biennial Total			(13)		(26)
1 - Expenditures, Absorbed Costs*, Transfers Out*					
General Fund					
Expenditures	-	-	1,345	1,345	1,345
Absorbed Costs	-	-	(1,358)	(1,358)	(1,358)
Total	-	-	(13)	(13)	(13)
Biennial Total			(13)		(26)
2 - Revenues, Transfers In*					
General Fund	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

This bill adds part-time and paid on call firefighters to the statutory definition of "public safety officer" for purposes of Public Safety Officer Death Benefit ("PSODB") program.

Establishes that public safety officers who separate from service because of a duty-disability still qualify as public safety officers for purposes of the PSODB program.

Clarifies that only natural cause deaths expressly included in PSODB statute are eligible for PSODB benefits.

Provides definition of terms "nonroutine strenuous or stressful physical activity" for purposes of evaluating whether cardiac-related deaths meet statutory definition of "killed in the line of duty."

Establishes statutory list of twenty specific types of cancer that will be presumed to meet statutory definition of "killed in the line of duty" if statutory requirements regarding time of public safety officer service, exposure to carcinogen, time of diagnosis, and time of death, are met. If statutory criteria are met, such deaths will meet definition of "killed in the line of duty" unless presumption is overcome by competent medical evidence.

Establishes statutory list of nine specific infectious disease that will be included in statutory definition of "killed in the line of duty" if officer dies due to complications from such infectious diseases and line of duty exposure is established.

Amends the language that controls when an officer's suicide meets the definition of "killed in the line of duty," but does not change that provision's meaning.

Establishes retroactivity to February 1, 2020, for changes.

For cancer-related claims, allows individuals to file claims for deaths that occurred on or after January 1, 2020, for a period of three years from enactment of the law.

Assumptions**Overview of Existing PSODB Program.**

Minnesota law provides a death benefit to the survivors of public safety officers who are killed in the line of duty. By statute, the benefit is adjusted on October 1 of each year based on the annual percentage change in the Consumer Price Index published by the federal Bureau of Labor Statistics.

If an application for PSODB benefits is denied, the applicant can appeal the denial to the Court of Administrative Hearings (“CAH”). The CAH’s decision is appealable to the Minnesota Court of Appeals and then potentially the Minnesota Supreme Court.

The terms “public safety officer” and “killed in the line of duty” are both defined in Minnesota Statute. To be eligible for the benefit, an application must establish that: (i) the decedent fit the statutory definition of “public safety officer,” and (ii) their death met the statutory definition of “killed in the line of duty.”

Changes to Definition of Public Safety Officer.

DPS assumes the proposed change is limited to adding part-time firefighters, paid on call firefighters, and public safety officers who separate because of a duty-disability to the definition.

In its current form, the PSODB statute does not include part-time or paid on call firefighters in the definition of “public safety officer.” As a result, these individuals are not eligible for the PSODB benefit even if their death otherwise would meet the definition of “killed in the line of duty.” This bill would amend the definition to include part-time and paid on call firefighters in the definition of “public safety officer.” The bill would also add language that establishes that public safety officers who separate from service because of a duty-disability still qualify as public safety officers for purposes of the PSODB program. DPS assumes the intent of this language is to clarify that public safety officers who leave service due to a duty-disability remain eligible under the PSODB program and can still receive PSODB benefits if they later die from a cause that meets the definition of “killed in the line of duty.”

Clarification That Only Natural Cause Deaths Expressly Listed In Statute Are Eligible For PSODB Benefits.

DPS assumes that the definition of “killed in the line of duty” excludes any deaths by natural causes unless they are listed in the language of the statute. In its current form, the PSODB statute states that the term “killed in the line of duty” does not include deaths from natural causes except as provided in the statute. By clarifying that only natural cause deaths expressly listed in the statute are eligible for PSODB benefits, the language will better express the intent of the legislature, reduce unnecessary and expensive litigation, and avoid potential awards of benefits in situations not intended by the legislature.

Addition of Definition of Nonroutine Strenuous or Stressful Physical Activity.

As drafted, the definition of “killed in the line of duty” in the PSODB statute includes a stroke, heart attack, or vascular rupture if the officer engaged in nonroutine strenuous or stressful duty-related physical activity or training within twenty-four hours of the fatal event. DPS assumes this provision is to set legislative guardrails as to when a stroke, heart attack, or vascular rupture meets the definition of “killed in the line of duty.”

The PSODB statute does not currently include a definition of nonroutine strenuous or stressful physical activity. This has led to extensive confusion and argument over the proper definition of those terms.

The bill would add a definition that matches the definition of the same term in federal public safety officer death benefit law. This will reduce confusion and result in fewer appeals.

Addition of Specific Cancers To List of PSODB -Eligible Natural Cause Deaths.

This bill establishes a limited and defined set of deaths from specific types of cancer that would meet the definition of “killed in the line of duty” if specific statutory conditions are met.

As noted above, if an application for PSODB benefits is denied, the applicant can challenge the denial in a contested case hearing before the Court of Administrative Hearing, and then to the Court of Appeals.

By listing specific cancer-related deaths that are eligible for PSODB benefits, the bill would eliminate any potential confusion over which cancer-related deaths are eligible and may reduce the number of appeals each year.

Based on previous experiences with contested cases, DPS assumes that the amended statute language will result in one fewer case contested annually at the CAH and one fewer appeal to the court of appeals annually. Attorney hours and

Attorney General's Office costs are not billed to the department, but DPS pays the Administrative Law Judge (ALJ) and filing fees to the CAH. CAH estimates 46 hours of ALJ time per case at \$270 an hour. (46 * 270 = \$12,420)

Addition of Specific Infectious Diseases to List of PSODB-Eligible Natural Cause Deaths.

This bill establishes a limited and defined set of deaths from infectious diseases that would meet the definition of "killed in the line of duty" if specific statutory conditions are met.

Revision of Language Regarding Suicides

Under the current definition, a public safety officer's death by suicide meets the definition of "killed in the line of duty" if the suicide is secondary to a diagnosis of PTSD or occurs within 45 days of exposure on duty to a statutorily defined traumatic event.

The bill proposes to amend the wording of this provision, but the word changes do not alter the requirements or meaning of the statute. Therefore, DPS does not believe this revision will have a fiscal impact.

Retroactive Effect

Normally, survivors have three years from the date of a public safety officer's death to file a claim for PSODB benefits. This bill would give survivors whose loved ones died of exposure-related cancer on or after January 1, 2020, three years from the date of final enactment to file a claim. The provision regarding deaths from infectious diseases would be retroactive to February 1, 2020.

DPS estimates 3 cancer-related deaths and 4 COVID-related deaths that would be eligible under this bill. DPS estimates the total cost for 7 payouts to be \$1,357,627.79. These claims would be paid from the money already appropriated to DPS for this purpose. For future claims, DPS assumes these changes could increase the pool of potential applicants for this benefit but is unable to determine a future estimate for the number of eligible claims that would be paid. Future eligible claims would be paid from the current appropriation that exists for this purpose.

Expenditure and/or Revenue Formula

FY27 and Beyond Expenditures

CAH - \$270/hour X 46 hours = \$12,420 (savings)

1 benefit @ \$169,331.44

1 benefit @ \$212,591.58

1 benefit @ \$218,969.33

4 benefits @ 189,183.86

Total retroactive benefits paid = \$1,357,627.79

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

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SF4667 - 2A - Line of Duty Death Survivor Ben. Eligibility Mod.

Chief Author: **Judy Seeberger**
 Committee: **Finance**
 Date Completed: **4/29/2026 1:23:20 PM**
 Agency: **Administrative Hearings**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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 Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Bolling **Date:** 4/29/2026 1:06:56 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

Sections 1 and 2 define 'carcinogen' and 'exposure-related cancer' within Minnesota Statutes, section 299A.41. Section 3 clarifies what qualifies as being killed in the line of duty for a public safety officer in Minnesota Statutes, section 299A.41. Sections 4, 5, and 6 add subdivisions within Minnesota Statutes, section 299A.41 to clarify the definitions of nonroutine stressful or strenuous physical line-of-duty activity. Section 7 amends the statutory definition of public safety officer in Minnesota Statutes, section 299A.41 to include part-time and paid on-call firefighters as public safety officers. Section 8 creates Minnesota Statutes, section 299A.412 (Determining what is routine). Section 9 creates Minnesota Statutes, section 299A.413 regarding public safety officer exposure-related cancer line of duty death benefit claims and their timing.

Assumptions

The Court of Administrative Hearings (CAH) has used the Department of Public Safety's (DPS) assumption that the amended statute language proposed in SF4667-2A will not result in any new contested cases filed with CAH. DPS assumes it will result in one less contested case referred to CAH per fiscal year. Because CAH only assesses agencies the cost of services rendered to them pursuant to Minn. Stat. § 14.53, and because one fewer case per year will not meaningfully impact staffing requirements, CAH will see no savings from one fewer contested case being filed. Therefore, CAH will see no fiscal impact from this bill.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: William Moore

Agency Fiscal Note Coordinator Signature: William Moore

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SF4667 - 2A - Line of Duty Death Survivor Ben. Eligibility Mod.

Chief Author: **Judy Seeberger**
 Committee: **Finance**
 Date Completed: **4/29/2026 1:23:20 PM**
 Agency: **Office of Higher Education**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Dollars in Thousands					
General Fund	-	-	177	177	177
Total	-	-	177	177	177
Biennial Total			177		354

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Kate Schiller **Date:** 4/23/2026 12:13:06 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028
					FY2029
General Fund	-	-	177	177	177
Total	-	-	177	177	177
Biennial Total			177		354
1 - Expenditures, Absorbed Costs*, Transfers Out*					
General Fund	-	-	177	177	177
Total	-	-	177	177	177
Biennial Total			177		354
2 - Revenues, Transfers In*					
General Fund	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

This bill makes changes to the definition of killed in the line of duty and to who is considered a Public Safety Officer in Minnesota Statutes 2024 section 299A.41. The changes impact the education benefit under 299A.45, the Public Safety Officer's Survivor Grant Program, administered by OHE by expanding eligibility for the program.

Subdivision 3 expands the definition of killed in the line of duty (2) (c) to include officers that die because of complications caused by exposure sustained in the line of duty to any of the following infectious diseases, viruses or bacteria:

- COVID-19;
- Influenza;
- Hepatitis B;
- Hepatitis C;
- Tuberculosis;
- HIV/AIDS;
- Meningitis;
- MRSA;
- Whooping cough; and
- Streptococcus pneumoniae.

The bill also expands the definition of killed in the line of duty in a second way under (2) (d), related specifically to officers who die from exposure related cancer that was a result of exposure to a carcinogen under certain conditions. The conditions called out in the bill are:

- the exposure occurred while the public safety officer was acting in the course and scope of duties as a public safety officer;
- the public safety officer began serving as a public safety officer not fewer than five years before the date of the public safety officer's diagnosis of exposure-related cancer;

- the public safety officer was diagnosed with exposure-related cancer not more than 15 years after the public safety officer's last date of active service as a public safety officer; and
- the exposure-related cancer directly and proximately results in the death of the public safety officer.

Should the bill be passed, the effective date of the changes outlined above apply retroactively from February 1, 2020.

Additionally, the bill makes three changes to Minnesota Statutes 2024 section 299A.41 Subdivision 4. The changes expand who is considered a Public Safety Officer.

Under Subdivision 4 (4) the definition of a Public Safety Officer is changed to add part-time individuals. Prior to the change, the statute only impacted individuals who were employed full-time.

Further, under Subdivision 4 (5) a legally enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting is expanded to not only include volunteers but adds those who are paid on-call individuals.

Finally, under Subdivision 4 (11) a third change is made to who is considered a Public Safety Officer. This section adds a person formerly employed as a public safety officer if the person separated from service due to a duty disability.

Assumptions

OHE assumes that all currently eligible students in FY26 will apply for FY27 by the application deadline and return to the same school full-time for fall, spring and summer terms.

OHE used information in the Fiscal Note from DPS to make assumptions about the expanded eligibility and assumes that the 7 newly eligible individuals will each have one survivor who qualifies for Public Safety Officer's Survivor Grant, apply by the application deadline and attend full time for fall, spring and summer terms.

The education benefit under MS 299A.45 has funding directly appropriated to the Office of Higher Education and administered as the Public Safety Officer's Survivors Program. The current base appropriation is not sufficient to support additional awards due to increased eligibility. OHE assumes that:

- An increase to the appropriation would be given in order to carry out statutory obligations in MS 299A.45, or that
- MS 299A.45 would be amended to allow OHE to administratively determine award amounts to all eligible applicants within available appropriated funds.

Expenditure and/or Revenue Formula

To calculate the estimated awards for new students for FY27, OHE used the data for each student returning from FY26 and applied the inflation rate to tuition & fees that was reported in the State Grant projections report. Since it is unknown where the newly eligible applicants will attend, OHE used the average of the total calculated tuition and fees cost for the returning students for the cost per new student.

Based on the assumptions in this fiscal note, the calculated estimated tuition and fees for FY2027 for the potential 7 new students is \$117,908 (or \$16,843 per student) for fall & spring semester at full-time enrollment. This estimated cost is increased to \$176,862 if summer awards are also assumed for the 7 additional students.

For FY28-29, OHE kept estimates flat as the increases for Tuition & Fees has not been released.

If additional funds are not appropriated to accommodate expanded eligibility for the Public Safety Officer's Survivors Grant, OHE assumes 299A.45 will be amended to allow OHE to administratively determine how to award the appropriation to eligible applicants.

Technical comment:

The estimated awards for FY27 for returning students is more than the appropriation. Applying the tuition and fees

increase for FY27 to the current tuition in fees for these students estimates the total awards to be \$158,000 (this includes fall, spring & summer awards). The appropriation is only \$100,000.

Long-Term Fiscal Considerations

Without additional information on the number of individuals the expansion impacts, OHE is unable to make long-term fiscal calculations. However, it is worthwhile to note that the appropriation for the program has not been increased in quite some time, yet the tuition and fees the award covers have increased significantly. Given this, it is reasonable to assume that long-term, the grant will cover less and less of a portion of the tuition and fees for a program that purports to fully cover tuition and fees.

Local Fiscal Impact

References/Sources

OHE used information from DPS to estimate the newly eligible individuals.

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