

HF2817 - 0 - Line of Duty Death Ben. for Cert. Firefight. Est.

Chief Author: **Krista Knudsen**
 Committee: **Public Safety Finance And Policy**
 Date Completed: **3/24/2026 7:56:36 PM**
 Lead Agency: **Public Safety Dept**
 Other Agencies:
 Administrative Hearings Attorney General

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) Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Attorney General					
General Fund	-	-	414	414	414
Public Safety Dept					
General Fund	-	-	488	488	488
State Total					
Administrative Hearings	-	-	-	-	-
General Fund	-	-	902	902	902
Total	-	-	902	902	902
Biennial Total			902		1,804

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Attorney General					
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:** 3/24/2026 7:56:36 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
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Attorney General					
General Fund	-	-	414	414	414
Public Safety Dept					
General Fund	-	-	488	488	488
Total	-	-	902	902	902
Biennial Total			902		1,804
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	50	50	50
Attorney General					
General Fund	-	-	414	414	414
Public Safety Dept					
General Fund	-	-	488	488	488
Total	-	-	952	952	952
Biennial Total			952		1,904
2 - Revenues, Transfers In*					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	50	50	50
Attorney General					
General Fund	-	-	-	-	-
Public Safety Dept					
General Fund	-	-	-	-	-
Total	-	-	50	50	50
Biennial Total			50		100

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 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		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	488	488	488	488
Total	-	-	488	488	488	488
Biennial Total			488			976

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: Laura Cecko **Date:** 3/23/2026 4:06:59 PM
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State Cost (Savings) Calculation Details

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*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	-	-	488	488	488	
Total	-	-	488	488	488	488
Biennial Total			488			976
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	488	488	488	
Total	-	-	488	488	488	488
Biennial Total			488			976
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill would amend the statutory definition of public safety officer in two ways. First, it would include part-time and paid on-call firefighters in the definition of “public safety officer.” Second, the bill would add a requirement that firefighters be engaged in nonroutine stressful or strenuous physical firefighting or training duties to qualify as public safety officers.

Assumptions

Minnesota law provides a public safety officer death benefit for public safety officers who are killed in the line of duty. The terms “public safety officer” and “killed in the line of duty” are both statutorily-defined terms. Under existing statutory language, full-time firefighters and volunteer firefighters are included in the definition of “public safety officer” if they are engaged in firefighting duties. Part-time and paid on-call firefighters are not included in the definition. Under existing statutory language, certain cardiac-related deaths are included in the definition of “killed in the line of duty” if they are preceded by duty-related nonroutine stressful or strenuous physical duty-related activity or training.

This bill would amend the definition of public safety officer in two ways. First, it would include part-time and paid on-call firefighters in the definition of “public safety officer.” Second, the bill would add a requirement that firefighters be engaged in nonroutine stressful or strenuous physical firefighting or training duties to qualify as public safety officers.

By adding the requirement that firefighters be engaged in nonroutine stressful and strenuous duty or training activities to the definition of public safety officer,” the bill takes a concept from the statutory definition of “killed in the line of duty” and incorporates it into the definition of “public safety officer.”

DPS submits that this change will lead to unintended results and to increased costs for both the state and for applicants.

DPS believes the change will lead to unintended results because it will inadvertently exclude firefighters who would otherwise be eligible for the benefit from the definition of public safety officer. For example, if a firefighter were to fall to their death while engaged in routine firefighting activities, this bill would not allow for a benefit. This is because the firefighter would not qualify as a public safety officer under the revised definition because they were not engaged in nonroutine stressful or strenuous physical firefighting duties. DPS believes this would be an unintended result.

DPS assumes the change will also lead to increased litigation costs for both the state and for applicants. Under the statute, a denial of benefits is appealable to the Minnesota Court of Administrative Hearings (“CAH”). The CAH’s decision is then appealable to the Minnesota Court of Appeals. DPS must pay for the cost of Administrative Law Judge time for each of these appeals. Applicants must pay the costs of their own attorneys for these appeals. There has already been significant litigation and controversy over how to interpret the phrase nonroutine stressful or strenuous activity as it is used in the definition of “killed in the line of duty.” Incorporating that same phrase in the definition of “public safety officer” for firefighters will result in significantly more litigation and associated expense for DPS and for applicants.

If the intent of the bill is to expand the definition of “public safety officer” so that part-time and paid on-call firefighters are treated the same as full-time and volunteer firefighters, then DPS recommends that the references to nonroutine stressful or strenuous physical activity in lines 1.20-1.21 and 2.23-2.25 be eliminated.

DPS assumes that under this bill, benefits for 2 additional individuals would be paid annually. The current benefit for the period covering October 1, 2024 to September 30, 2025 is \$218,969.33. The benefit is adjusted annually on October 1, reflecting the annual percentage change in the Consumer Price Index.

Based on previous experiences with contested cases, DPS assumes that the amended statute language will result in an additional 4 cases contested annually at the CAH and of those, 2 will be appealed. 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.

The department will absorb any costs to review additional applications as part of regular duties. Additional work related to appeals and litigation of denied claims will be absorbed as regular duties of the department’s General Counsel office.

Expenditure and/or Revenue Formula

FY27 and beyond expenditures

Line of Duty Death Benefit $\$218,969.33 \times 2 = \$437,938.66$

CAH ALJ $\$270/\text{hour} \times 46 \text{ hours} \times 4 \text{ contested cases} = \$49,680$

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Nicole Mickelson

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Fiscal Note

2025-2026 Legislative Session

HF2817 - 0 - Line of Duty Death Ben. for Cert. Firefight. Est.

Chief Author: **Krista Knudsen**
 Committee: **Public Safety Finance And Policy**
 Date Completed: **3/24/2026 7:56:36 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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State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
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:** 3/23/2026 4:56:09 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 Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Administrative Hearings	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Administrative Hearings	-	-	50	50	50
Total	-	-	50	50	50
Biennial Total			50		100
2 - Revenues, Transfers In*					
Administrative Hearings	-	-	50	50	50
Total	-	-	50	50	50
Biennial Total			50		100

Bill Description

HF2817 amends the statutory definition of public safety officer in Minnesota Statutes 2024, § 299A.41 to include part-time and paid on-call firefighters as public safety officers. It also adds the requirement that in order for a firefighter to qualify as a public safety officer, they must be engaged in nonroutine stressful or strenuous physical firefighting or nonroutine stressful or strenuous physical training exercise.

Assumptions

The Court of Administrative Hearings (CAH) in consultation with Minnesota Management and Budget (MMB) assesses agencies the cost of services rendered to them. All agencies shall include in their budget provisions for such assessments.

CAH has used the Department of Public Safety’s assumption that the amended statute language proposed in HF2817 will result in four additional contested case referrals sent to CAH each fiscal year for line-of-duty death benefit appeals cases. CAH assumes that each case will be vigorously contested and has used data from similar case types to determine that each appeal will require an estimated 46 hours of Administrative Law Judge (ALJ) time.

CAH currently bills ALJ time for contested case procedures at the MMB-approved billable rate of \$270 per hour (see Minn. Stat. § 16A.126, subd. 1 (2023)).

Expenditure and/or Revenue Formula

Estimated 4 appeals each year, beginning in FY27, with each appeal requiring an estimated 46 hours of ALJ time at \$270/hr:

46 hours x \$270/hr = \$12,420 per appeal x 4 appeals per FY = \$49,680 charged to the Department of Public Safety starting in FY2027 pursuant to the requirements of Minn. Stat. § 14.53.

Long-Term Fiscal Considerations

Costs associated with contested cases will continue into future years.

Local Fiscal Impact

References/Sources

Agency Contact: William Moore

Agency Fiscal Note Coordinator Signature: William Moore

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Chief Author: **Krista Knudsen**
 Committee: **Public Safety Finance And Policy**
 Date Completed: **3/24/2026 7:56:36 PM**
 Agency: **Attorney General**

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
General Fund	-	-	414	414	414	414
Total	-	-	414	414	414	414
Biennial Total			414			828

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: Chloe Burns **Date:** 3/24/2026 6:07:15 PM
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State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029	
General Fund	-	-	414	414	414	
Total	-	-	414	414	414	414
Biennial Total			414			828
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	414	414	414	
Total	-	-	414	414	414	414
Biennial Total			414			828
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

Under Minnesota Statutes sections 299A.41-46, the survivors of public safety officers killed in the line of duty are entitled to a monetary benefit. The terms “public safety officer” and “killed in the line of duty” are defined in section 299A.41. HF 2817 amends the definition of “public safety officer” in section 299A.41 to include part-time firefighters who were previously excluded from the definition and, therefore, from eligibility for the benefit.

Assumptions

The AGO agrees with the Department of Public Safety that the inclusion of the phrase “nonroutine stressful or strenuous physical” in proposed subdivision 4(a)(4)(i) and (ii) creates potential unintended results and the possibility of conflict between the new subdivision 4(a) and current law in 299A.41, subdivision 3, which uses similar language.

Fiscal impacts of the legislation on the AGO would include litigation costs incurred to represent DPS in contested cases at the Court of Administrative Hearings in which the survivors of now-eligible part-time firefighters are denied the statutory benefit and appeal that determination. This amendment would expand the pool of eligible public safety officers. This bill does not alter 299A.41, subdivision 3, which defines “killed in the line of duty” and is the source of most litigation under this statutory scheme. Because this bill will create more eligible public safety officers whose survivors will apply for benefits, it will also likely result in more litigation by applicants whose applications are denied under 299A.41 subdivision 3.

Additional fiscal impacts of the legislation on the AGO would include appellate work to bring or defend appeals stemming from decisions at Court of Administrative Hearings.

Previous experience in contested case hearings under this statutory scheme serve as a guide for the litigation costs the AGO would expend in such litigation.

Contested Case Hearings: Assuming litigation of a contested case at Court of Administrative Hearings: depending on its complexity, the case would likely include file preparation, prehearing motions practice, discovery, depositions, witness preparation including expert witnesses, and a multi-day hearing. The assumption for attorney hours spent for one contested case at the Court of Administration Hearings is 450 hours and for legal assistant hours spent is 50 hours. This assumption does not include litigation expenses like filing fees, discovery costs, ADR expenses, court reporters, costs to retain expert witnesses, and Court of Administrative Hearings fees, if any, which would typically be paid or reimbursed by the agency. Based on previous experience, the AGO assumes there will be 4 contested cases filed each year.

450 hours per case x 4 cases = 1,800 attorney hours @ \$178/hour = \$320,400

50 legal assistant hours per case x 4 cases = 200 LA hours @ \$114/hour = \$22,800

Appellate Court Hearings: Based on previous experience, the AGO assumes that there will be litigation work to represent DPS at the appellate courts. The assumption for attorney hours spent is a minimum of 200 attorney hours. It is also assumed there will be 2 appellate cases per year.

200 hours per case x 2 cases = 400 attorney hours @ \$178/hour = \$71,200

Total attorney hours for contested cases and appellate hearings:

2200 hours @ \$178/hour = \$391,600

Total legal assistant hours for contested cases and appellate hearings:

200 hours @ \$114/hour = \$22,800

Total cost = \$391,600 + \$22,800 = \$414,400

Expenditure and/or Revenue Formula

	Hourly billing rate	# of Hours	FY27	FY28	FY29
Attorney	\$178	2200	391,600	391,600	391,600
Legal Assistant (Investigator/other non-attorney staff) \$114/hour	\$114	200	22,800	22,800	22,800
Totals	-	-	\$414,400	\$414,400	\$414,400

Litigation would likely begin immediately, as there are part-time firefighters who have sought and been denied benefits and would presumably seek to reopen those decisions. Costs would be ongoing. The costs in FY 28 and beyond depend on the billable hour rate.

Long-Term Fiscal Considerations

n/a

Local Fiscal Impact

n/a

References/Sources

n/a

Agency Contact: Laura Sayles

Agency Fiscal Note Coordinator Signature: Laura Capuana

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