

S.F. No. 1354 – Public Safety Reimbursements for Extraordinary or Unplanned Events; POST Board Changes (SCS1354A-5 Delete-Everything Amendment)

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Section 1 excludes catastrophes caused by civil disorder from the definition of “disaster” for the purpose of determining eligibility for state disaster relief assistance. Under current law, the definition of “disaster” includes any fire, flood, or explosion, *regardless of cause*. This change is effective retroactively from January 1, 2020.

Section 2 establishes the Law Enforcement Operations account in the special revenue fund. Money in the account (\$15 million from the general fund is transferred to it in **section 5**) is appropriated to the Commissioner of Public Safety for reimbursement and management costs under this section.

Provides that costs eligible for reimbursement are those associated with a public safety event incurred during an incident period and specifies what those eligible costs include (overtime costs; logistical needs; incidental supplies; backfill personnel costs; damaged equipment; emergency management, response planning, and threat mitigation costs; and indemnification costs). Of note, a public safety event is defined to mean an unplanned or extraordinary event or series of events (1) that exhausts local resources, endangers life or property where local resources are inadequate to handle the situation, requires mutual aid, and results in a state or local emergency being declared; or (2) where the State Patrol makes a specific request to a local governmental unit for assistance at the state capitol or other state-owned facility.

Reimbursements may be made to tribal and local entities from within Minnesota and state, tribal, and local entities from outside Minnesota. Provides that entities that are considered receiving jurisdictions (i.e., those that request resources to respond to a public safety event in their jurisdiction) may be reimbursed at 75 percent of the eligible costs submitted and that those considered sending jurisdictions (i.e., those that are sending resources to assist other jurisdictions experiencing a public safety event) may be reimbursed at 100 percent of the eligible costs submitted.

Provides that decisions regarding reimbursements are to be made by a reimbursement panel consisting of five members-three sheriffs selected by a process created by the Minnesota Sheriffs Association and two police chiefs selected by the Minnesota Chiefs of Police Association.

Specifies the application and appeal processes. Requires applicants to keep and maintain detailed records and authorizes audits to ensure accountability. Requires that a list of recipients and the amount of reimbursements be posted on the Department of Public Safety's website. Authorizes the department to retain 2.5 percent of the value of awarded reimbursements as management costs. Provides that applicants who recover eligible costs from another source after receiving a reimbursement under this section must pay this amount back into the general fund. States the purpose of the law. Defines key terms used. Sunsets the section on June 30, 2023.

Sections 3 and 4 delay the effective dates by six months (from March 1, 2021, to September 1, 2021) of amendments made to the police use of deadly force law enacted in last year's law enforcement accountability act.

Section 5 transfers \$15 million from the general fund to the Law Enforcement Operations account established in **section 2**. This money is made available until June 30, 2023.