

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 4766

(SENATE AUTHORS: SEEBERGER)

DATE
03/25/2026

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Introduction and first reading
Referred to State and Local Government

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to retirement; firefighters relief associations; public employees defined
- 1.3 contribution plan; modifying provisions of the public employees defined
- 1.4 contribution plan to include emergency medical providers; expanding firefighters
- 1.5 relief association retirement plan to include emergency medical providers; requiring
- 1.6 bylaws to be amended; amending Minnesota Statutes 2024, sections 353D.03,
- 1.7 subdivision 6; 424A.001, by adding a subdivision; 424A.003; 424A.01, subdivision
- 1.8 1; 424A.02, subdivision 1; Minnesota Statutes 2025 Supplement, sections 353D.01,
- 1.9 subdivision 2; 353D.02, subdivision 7; proposing coding for new law in Minnesota
- 1.10 Statutes, chapter 424A.
- 1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.12 Section 1. Minnesota Statutes 2025 Supplement, section 353D.01, subdivision 2, is
- 1.13 amended to read:
- 1.14 Subd. 2. **Eligibility.** (a) Eligibility to participate in the plan is available to:
- 1.15 (1) any elected or appointed local government official of a governmental subdivision
- 1.16 who elects to participate in the plan under section 353D.02, subdivision 1, and who, for the
- 1.17 service rendered to a governmental subdivision, is not a member of the association within
- 1.18 the meaning of section 353.01, subdivision 7;
- 1.19 (2) physicians who, if they did not elect to participate in the plan under section 353D.02,
- 1.20 subdivision 2, would meet the definition of member under section 353.01, subdivision 7;
- 1.21 (3) basic and advanced life-support emergency medical service personnel who are
- 1.22 employed by any public ambulance service that elects to participate under section 353D.02,
- 1.23 subdivision 3;
- 1.24 (4) members of a municipal rescue squad associated with the city of Litchfield in Meeker
- 1.25 County, or of a county rescue squad associated with Kandiyohi County, if an independent

nonprofit rescue squad corporation, incorporated under chapter 317A, performing emergency management services, and if not affiliated with a fire department or ambulance service and if its members are not eligible for membership in that fire department's or ambulance service's relief association or comparable pension plan;

(5) members of the municipal rescue squad associated with the city of Eden Valley in Stearns and Meeker Counties who are not eligible for membership in the police and fire retirement plan or a firefighter relief association affiliated with the city and who elect to participate in the plan under section 353D.02, subdivision 4, paragraph (b);

(6) employees of the Port Authority of the city of St. Paul who elect to participate in the plan under section 353D.02, subdivision 5, and who are not members of the association under section 353.01, subdivision 7;

(7) city managers who elected to be excluded from the general employees retirement plan of the association under section 353.028 and who elected to participate in the public employees defined contribution plan under section 353.028, subdivision 3, paragraph (b);

(8) volunteer or emergency on-call firefighters serving in a municipal fire department or an independent nonprofit firefighting corporation who are not covered by the police and fire retirement plan and who are not covered by a firefighters relief association and who elect to participate in the public employees defined contribution plan;

(9) any elected county sheriff who is a former member of the police and fire plan, is receiving a retirement annuity as provided under section 353.651, and does not have previous employment with the county for which the sheriff was elected; ~~and~~

(10) persons appointed to serve on a board or commission of a governmental subdivision or an instrumentality thereof; and

(11) emergency medical providers, as defined in section 424A.001, subdivision 13.

(b) Individuals otherwise eligible to participate in the plan under this subdivision who are currently covered by a public or private pension plan because of their employment or provision of services are not eligible to participate in the plan.

(c) A former participant is a person who has terminated eligible employment or service and has not withdrawn the value of the person's individual account.

Sec. 2. Minnesota Statutes 2025 Supplement, section 353D.02, subdivision 7, is amended to read:

Subd. 7. **Certain Volunteer or paid on-call firefighters; emergency medical providers.** (a) Volunteer or paid on-call firefighters or emergency medical providers who are serving as members of a municipal fire department or an independent nonprofit firefighting corporation and who are not covered for that firefighting service by the public employees police and fire retirement plan under sections 353.63 to 353.68, ~~by a firefighters relief association under chapter 424A,~~ or by the statewide volunteer firefighter retirement plan under chapter 353G may elect to participate in the plan within the first 30 days of commencing service by completing and signing a membership election on a form prescribed by the executive director of the association. The membership election must be filed with the association within 60 days of commencing service. ~~An eligible firefighter's~~ A membership election is irrevocable. No employer contribution is payable by the fire department or the firefighting corporation unless the municipal governing body or the firefighting corporation governing body, whichever applies, ratifies the membership election.

(b) A volunteer or paid on-call firefighter or an emergency medical provider may participate in both the plan and the retirement plan of a relief association, as defined in section 424A.001, subdivision 4.

Sec. 3. Minnesota Statutes 2024, section 353D.03, subdivision 6, is amended to read:

Subd. 6. **Volunteer firefighters and emergency medical providers.** (a) Unless paragraph (b) applies, a volunteer or emergency on-call firefighter or emergency medical provider who elects to participate in the plan shall contribute at least 7.5 percent of any compensation received for firefighting services.

(b) If the municipality or the independent nonprofit firefighting corporation ratified the election of plan coverage under section 353D.02, subdivision 6, the volunteer firefighter or emergency medical provider and the employing unit shall contribute in total an amount equal at least to 7.5 percent of any compensation received for firefighting services.

Sec. 4. Minnesota Statutes 2024, section 424A.001, is amended by adding a subdivision to read:

Subd. 13. **Emergency medical provider.** "Emergency medical provider" means a person who performs emergency medical response duties or supervises emergency medical response activities.

Sec. 5. Minnesota Statutes 2024, section 424A.003, is amended to read:

424A.003 CERTIFICATION OF SERVICE CREDIT.

Subdivision 1. Certification by the fire chief. (a) When a municipal fire department, a joint powers fire department, or an independent nonprofit firefighting corporation is directly associated with a firefighters relief association, the fire chief shall certify annually by March 31 the service credit for the previous calendar year of each volunteer firefighter ~~and~~, paid on-call firefighter, and emergency medical provider rendering active service with the fire department.

(b) The certification shall be made to an officer of the relief association's board of trustees and to the municipal clerk or clerk-treasurer of the largest municipality in population served by the associated fire department.

(c) The fire chief shall notify each volunteer firefighter ~~and~~, paid on-call firefighter, and emergency medical provider rendering active service with the fire department of the amount of service credit rendered by the firefighter or emergency medical provider for the previous calendar year. Upon request, the fire chief shall provide the firefighter or emergency medical provider with a written explanation and documentation to support the determination of service credit. The service credit notification and a description of the process and deadlines for the firefighter or emergency medical provider to challenge the fire chief's determination of service credit must be provided to the firefighter or emergency medical provider at least 21 days prior to its certification to the relief association and municipality. If the service credit amount is challenged, the fire chief shall accept and consider any additional pertinent information and shall make a final determination of service credit.

(d) The service credit certification must be expressed as the number of completed months of the previous year during which an active volunteer firefighter ~~or~~, paid on-call firefighter, or emergency medical provider rendered at least the minimum level of duties as specified and required by the fire department under the rules, regulations, and policies applicable to the fire department. No more than one year of service credit may be certified for a calendar year.

Subd. 2. Certification of past service as an emergency medical provider. (a) If an emergency medical provider was not permitted under the bylaws of a relief association to participate in the relief association retirement plan on the effective date, the fire chief must certify, no later than August 1, 2026, the service credit of the emergency medical provider for all completed months of active service as an emergency medical provider before August 1, 2026, including active service since the membership start date of the emergency medical

provider, as if the emergency medical provider had been authorized under state law and the bylaws of the relief association to be a member of a firefighters relief association on the same basis as a volunteer firefighter or paid on-call firefighter.

(b) Subdivision 1, paragraphs (b), (c), and (d), apply to the certification under paragraph (a) of past service as an emergency medical provider as if the emergency medical provider were a volunteer firefighter or paid on-call firefighter.

Subd. 3. Certification of military service. ~~(e)~~ If a volunteer firefighter ~~or~~ paid on-call firefighter, or emergency medical provider who is a member of the relief association leaves active firefighting service to render active military service that is required to be governed by the federal Uniformed Services Employment and Reemployment Rights Act, as amended, the firefighter or emergency medical provider must be certified as providing service credit for the period of the military service, up to the applicable limit of the federal Uniformed Services Employment and Reemployment Rights Act. If the volunteer firefighter ~~or~~ paid on-call firefighter, or emergency medical provider does not return from the military service in compliance with the federal Uniformed Services Employment and Reemployment Rights Act, the service credits applicable to that military service credit period are forfeited and canceled at the end of the calendar year in which the time limit set by federal law occurs.

Sec. 6. Minnesota Statutes 2024, section 424A.01, subdivision 1, is amended to read:

Subdivision 1. **Membership eligibility.** (a) A firefighter or any volunteer emergency medical personnel is eligible for membership in a firefighters relief association if the firefighter or volunteer emergency medical personnel satisfies the requirements of paragraph (b) or (c), as applicable, and is not otherwise prohibited from membership under this chapter.

(b) To be eligible for membership in a relief association, a firefighter must be a member of the fire department and:

(1) provide services as a volunteer firefighter or as a paid on-call firefighter, although the firefighter need not exclusively provide services as either a volunteer firefighter or a paid on-call firefighter;

(2) be engaged in providing emergency response services or delivering fire education or prevention services as a member of a fire department;

(3) be trained in or qualified to provide fire suppression duties or to provide fire prevention duties; and

(4) meet any other minimum firefighter and service standards established by the fire department or specified in the articles of incorporation or bylaws of the firefighters relief association.

(c) ~~A volunteer~~ An emergency medical personnel provider is eligible to be a member of the firefighters relief association and to qualify for a service pension or other benefit coverage of the relief association on the same basis as fire department personnel who perform or supervise fire suppression or fire prevention duties, ~~if: (1) the fire department employs or otherwise uses the services of the person solely as volunteer emergency medical personnel to perform emergency medical response duties or supervise emergency medical response activities;~~

~~(2) the bylaws of the firefighters relief association authorize the volunteer emergency medical personnel's eligibility; and~~

~~(3) the volunteer emergency medical personnel's eligibility is approved by:~~

~~(i) the municipality, if the fire department is a municipal department;~~

~~(ii) the joint powers board, if the fire department is a joint powers entity; or~~

~~(iii) the contracting municipality or municipalities, if the fire department is an independent nonprofit firefighting corporation.~~

(d) Minors are prohibited from membership in a firefighters relief association.

Sec. 7. [424A.012] SERVICE CREDIT FOR EMERGENCY MEDICAL PROVIDERS.

Subdivision 1. Service for vesting and benefit accrual. (a) A relief association must take into account all active service as an emergency medical provider beginning with the first day of active service with the fire department as if the emergency medical provider was a volunteer firefighter or paid on-call firefighter.

(b) Service under paragraph (a) must be used in determining:

(1) vesting under section 424A.016, subdivision 3, or section 424A.02, subdivision 2;

(2) the number of years of active service and years of active membership under section 424A.02, subdivision 1, paragraph (a); and

(3) the service pension earned under section 424A.02.

7.1 Subd. 2. Bylaws amendment required. No later than January 1, 2027, all relief
7.2 associations must amend their bylaws to incorporate the requirements of this section and
7.3 section 424A.01, subdivision 1.

7.4 Sec. 8. Minnesota Statutes 2024, section 424A.02, subdivision 1, is amended to read:

7.5 Subdivision 1. **Authorization.** (a) A defined benefit relief association, when its articles
7.6 of incorporation or bylaws so provide, may pay out of the assets of its special fund a defined
7.7 benefit service pension to each of its members who: (1) separates from active service with
7.8 the fire department; (2) reaches age 50; (3) completes at least five years of active service
7.9 as an active member of the fire department to which the relief association is associated; (4)
7.10 completes at least five years of active membership with the relief association before
7.11 separation from active service; and (5) complies with any additional conditions as to age,
7.12 service, and membership that are prescribed by the bylaws of the relief association. A service
7.13 pension computed under this section may be prorated monthly for fractional years of service
7.14 as the bylaws or articles of incorporation of the relief association so provide. The bylaws
7.15 or articles of incorporation may define a "month," but the definition must require a calendar
7.16 month to have at least 16 days of active service. If the bylaws or articles of incorporation
7.17 do not define a "month," a "month" is a completed calendar month of active service measured
7.18 from the member's date of entry to the same date in the subsequent month. The service
7.19 pension earned by a firefighter or emergency medical provider under this chapter and the
7.20 articles of incorporation and bylaws of the firefighters relief association may be paid whether
7.21 or not the municipality or independent nonprofit firefighting corporation to which the relief
7.22 association is associated qualifies for the receipt of fire state aid under chapter 477B.

7.23 (b) In the case of a member who has completed at least five years of active service as
7.24 an active member of the fire department to which the relief association is associated on the
7.25 date that the relief association is established and incorporated, the requirement that the
7.26 member complete at least five years of active membership with the relief association before
7.27 separation from active service may be waived by the board of trustees of the relief association
7.28 if the member completes at least five years of inactive membership with the relief association
7.29 before the date of the payment of the service pension. During the period of inactive
7.30 membership, the member is not entitled to receive disability benefit coverage, is not entitled
7.31 to receive additional service credit toward computation of a service pension, and is considered
7.32 to have the status of a person entitled to a deferred service pension under subdivision 7.

7.33 (c) No municipality, independent nonprofit firefighting corporation, or joint powers
7.34 entity may delegate the power to take final action in setting a service pension or ancillary

- 8.1 benefit amount or level to the board of trustees of the relief association or to approve in
8.2 advance a service pension or ancillary benefit amount or level equal to the maximum amount
8.3 or level that this chapter would allow rather than a specific dollar amount or level.

8.4 Sec. 9. **EFFECTIVE DATE.**

- 8.5 Sections 1 to 8 are effective the day following final enactment.