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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2928

03/16/2023 Authored by Nelson, M., and Her The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act
1.2 relating to retirement; volunteer firefighter relief associations; recommendation
1.3 of the State Auditor's volunteer firefighter working group; increasing the relief
1.4 association special fund asset or liability threshold for required annual financial
1.5 report and audited financial statements; amending Minnesota Statutes 2022, section
1.6 424A.014, subdivision 1.

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

1.8 Section 1. Minnesota Statutes 2022, section 424A.014, subdivision 1, is amended to read:

1.9 Subdivision 1. Financial report and audit. (a) An annual financial report and audited
1.10 financial statements in accordance with paragraphs (c) to (e) must be submitted by the board
1.11 of trustees of the Bloomington Fire Department Relief Association and the board of trustees
1.12 of each volunteer firefighters relief association with special fund assets of at least \$500,000
1.13 \$750,000 or special fund liabilities of at least \$500,000 \$750,000, according to any previous
1.14 year's financial report.

1.15 (b) The board of trustees of a volunteer firefighters relief association with special fund
1.16 assets of less than \$500,000 \$750,000 and special fund liabilities of less than \$500,000
1.17 \$750,000, according to each previous year's financial report, may submit an annual financial
1.18 report and audited financial statements in accordance with paragraphs (c) to (e).

1.19 (c) The financial report must cover the relief association's special fund and general fund
1.20 and be in the style and form prescribed by the state auditor. The financial report must be
1.21 countersigned by:

2.1 (1) the municipal clerk or clerk-treasurer of the municipality in which the relief
 2.2 association is located if the relief association is directly associated with a municipal fire
 2.3 department;

2.4 (2) the municipal clerk or clerk-treasurer of the largest municipality in population that
 2.5 contracts with the independent nonprofit firefighting corporation if the volunteer firefighter
 2.6 relief association is a subsidiary of an independent nonprofit firefighting corporation, and
 2.7 by the secretary of the independent nonprofit firefighting corporation; or

2.8 (3) the chief financial official of the county in which the volunteer firefighter relief
 2.9 association is located or primarily located if the relief association is associated with a fire
 2.10 department that is not located in or associated with an organized municipality.

2.11 (d) The financial report must be retained in the office of the Bloomington Fire Department
 2.12 Relief Association or the volunteer firefighter relief association for public inspection and
 2.13 must be filed with the governing body of the government subdivision in which the associated
 2.14 fire department is located after the close of the fiscal year. One copy of the financial report
 2.15 must be furnished to the state auditor on or before June 30 after the close of the fiscal year.

2.16 (e) Audited financial statements that present the true financial condition of the relief
 2.17 association's special fund and general fund must be attested to by a certified public accountant
 2.18 or by the state auditor and must be filed with the state auditor on or before June 30 after the
 2.19 close of the fiscal year. Audits must be conducted in compliance with generally accepted
 2.20 auditing standards and section 6.65 governing audit procedures. The state auditor may accept
 2.21 audited financial statements in lieu of the financial report required in paragraph (a).

2.22 **Sec. 2. EFFECTIVE DATE; APPLICATION.**

2.23 This act is effective on December 31, 2023, and applies to audited financial statements
 2.24 for calendar year 2023 and thereafter. A relief association with special fund assets of less
 2.25 than \$750,000 and special fund liabilities of less than \$750,000 on December 31, 2023, is
 2.26 not required to submit audited financial statements under Minnesota Statutes, section
 2.27 424A.014, subdivision 1, unless and until the association's special fund assets or special
 2.28 fund liabilities exceed \$750,000, even if audited financial statements were required on the
 2.29 date immediately prior to the effective date.