

Chapter 68

2026 Regular Session

Subject Homeowner's insurance policies; exclusion

Bill H.F. 4133

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Overview

This act prohibits homeowner's insurance policies from excluding coverage for damage done to property from a peace officer's use of chemical irritants, smoke screens, or diversionary devices, when the damage occurs while the peace officer is executing a search warrant or apprehending a criminal.

Summary

Section	Description
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1	Scope.
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Adds cross-reference.

Effective date. This section is effective January 1, 2027.

2	[65A.304] Damage by peace officers; mitigation.
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Subd. 1. Definitions. Defines "just compensation," "peace officer," and "industrial hygienist."

Subd. 2. Exclusion prohibited. (a) Prohibits homeowner's insurance from excluding from coverage circumstances where a homeowner is owed just compensation due to a peace officer's use of chemical irritants, smoke screens, or diversionary devices.

(b) Clarifies that this section does not affect a local government's duty to pay just compensation.

(c) Clarifies that nothing in paragraph (a) prohibits a civil authority exclusion or other policy provision if just compensation is not excluded.

Subd. 3. Mitigation. (a) Requires policies of homeowner's insurance to allow a homeowner to choose a mitigation contractor and industrial hygienist to resolve damage.

Section **Description**

(b) Requires the work of a mitigation contractor or industrial hygienist to follow industry standards and, if applicable, chemical manufacturer guidelines.

Subd. 4. Insurer subrogation and reimbursement. (a) Subrogates an insurer who pays benefits to a homeowner for damages under this section to the homeowner's right to recover just compensation.

(b) Provides that payments made by an insurer under this section must be reimbursed by a local government unit if certain conditions are met. Allows an insurer to bring an action to recover the amount paid, reasonable attorney fees, costs, and disbursements if payment is not made as required by this subdivision.

(c) Requires an insurer to pay a homeowner for their deductible for damages under this section.

Effective date. This section is effective January 1, 2027.



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