



*Linda S. Crawford*

*Bill Analysis*  
*Legislative Service Commission*

**S.B. 244**  
123rd General Assembly  
(As Introduced)

**Sen. Mumper**

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**BILL SUMMARY**

- Requires a law enforcement agency that investigates motor vehicle accidents to adopt a written policy governing procedures for notifying the next of kin of persons who are killed or seriously injured in motor vehicle accidents.

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**CONTENT AND OPERATION**

Under the bill, every law enforcement agency whose officers investigate motor vehicle accidents must develop and adopt a written policy governing the procedures for notifying the next of kin of persons who are killed in a motor vehicle accident or who suffer a serious, life-threatening injury in a motor vehicle accident and probably will not be able to notify their own next of kin within a reasonable time after the accident. Upon adoption of the policy, the law enforcement agency must utilize it. (Sec. 4501.80(A).)

Prior to adopting their policies, all law enforcement agencies within a county must confer and make every reasonable attempt to ensure that the policies within the county are consistent with each other. Every policy must address the procedure to be followed in the case of a motor vehicle accident to which more than one law enforcement agency responds. The purpose of adopting consistent policies is to ensure that the required notification is made. (Sec. 4501.80(B).)

The bill further specifies that the notification of the next of kin of persons who are killed or injured in motor vehicle accidents is deemed to be a governmental function for purposes of Political Subdivision Sovereign Immunity Law (sec. 4501.80(C)). In general, political subdivisions are immune from civil liability for functions classified as either governmental or proprietary. (Chapter 2744., not in the bill.)

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	01-20-00	p. 1320

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