



Joseph G. Aninao

*Bill Analysis*  
*Legislative Service Commission*

## **Am. S.B. 244**

123rd General Assembly

(As Reported by H. Transportation and Public Safety)

**Sens. Mumper, Latta, Spada, Drake, Watts, Gardner, Latell**

**Reps. Clancy, Bender, Damschroder, Patton, Mettler, Olman, Mead, Britton**

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### **BILL SUMMARY**

- Requires a law enforcement agency that investigates motor vehicle accidents to adopt a written policy establishing reasonable procedures for determining and 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 establishing reasonable procedures for determining and 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. After a law enforcement agency adopts a written policy, each law enforcement officer employed by that agency must make a good faith effort to follow the procedures contained in the policy. (Sec. 4501.80(A).)

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(B)). 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
Reported, S. Highways & Transportation	03-29-00	p. 1538
Passed Senate (33-0)	03-29-00	pp. 1539-1540
Reported, H. Transportation and Public Safety	05-17-00	p. 1996

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