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Ohio House Civil Justice Committee
House Bill 472 – Opposition Testimony

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Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski and members of the House Civil Justice Committee, thank you for the opportunity to provide written opponent testimony on House Bill 472.

Ohio Revised Code Chapter 2744 provides immunity for local government first responders when involved in emergency response situations. An exception to this immunity is for first responders whose driving during emergency runs is deemed “willful or wanton.” Therefore, those first responders putting themselves at risk to protect individuals in an emergency situation are protected from plaintiff’s counsel arguing their driving was “negligent.”

HB 472 seeks to amend R.C. 2744.02 and 2744.05, effectively stripping immunity from fire and EMS personnel for negligent operation of a vehicle, and limiting immunity for law enforcement to only those situations where a plaintiff is fleeing apprehension for a criminal offense. To ensure that first responders are able to quickly respond to emergency situations and to protect taxpayer resources from significantly increased litigation costs, CCAO opposes this legislation.

One of the foremost responsibilities of county government is to ensure the protection and safety of county residents. Ohioans depend on county first responders to quickly respond to emergency situations, whether it be criminal activity, car accidents, health emergencies or countless other scenarios.

Passage of HB 472 would undermine the well-reasoned doctrine of sovereign immunity and expose first responders, due to the inherent nature of their responsibilities, to significant risk of liability. Removing much of these immunity protections will have a chilling effect on first responder response times as they navigate new negligence exposure risks when responding to emergency situations. Delayed response times of minutes or even seconds can have a significant impact in emergency response outcomes.



Removing existing immunity protections would also expose taxpayers to additional expense borne through increased lawsuits brought against county governments. Many counties prudently insure themselves against liability risk. The expansion of liability exposure as outlined in HB 472 would necessitate significant cost increases to insure against such expanded risk. Ultimately, these increased costs would be absorbed by taxpayers.

For these reasons, CCAO opposes this proposal.