

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1086
Committee Substitute Favorable 5/19/05
Third Edition Engrossed 5/27/05
Senate Judiciary I Committee Substitute Adopted 8/10/05

Short Title: General Assembly Police Jurisdiction.

(Public)

Sponsors:

Referred to:

April 4, 2005

A BILL TO BE ENTITLED

AN ACT REVISING THE JURISDICTION OF THE GENERAL ASSEMBLY
POLICE AND THE OATH OF OFFICE TO REFLECT THAT CHANGE, AND
TO MAKE A TECHNICAL AMENDMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 120-32.2 reads as rewritten:

"§ 120-32.2. ~~State Legislative Building~~ General Assembly special police.

(a) All sworn members of the ~~State Legislative Building security force~~ General Assembly special police employed by the Legislative Services Office are special policemen, and ~~within the State legislative buildings and grounds, as defined in G.S. 120-32.1(d), they shall~~ have all the powers of policemen of ~~cities.~~ cities, within any of the following areas of jurisdiction, while on official duty:

(1) Within those areas of the City of Raleigh and of the unincorporated parts of Wake County surrounded by the innermost right-of-way of Interstate 440.

(2) In any part of the State:

a. While accompanying a member of the General Assembly who is conducting, or traveling to or from, his or her official duties.

b. While preparing for, or providing security to, a session of either or both houses of the General Assembly, or official events directly related to that session.

(b) General Assembly special police officers may arrest persons outside the areas described in subsection (a) of this section when the person arrested has committed a criminal offense within any of the areas, for which the officer could have arrested the person within that area, and the arrest is made during such person's immediate and continuous flight from that area.

1 (c) The ~~Legislative Building security force~~ General Assembly special police has
2 the exclusive authority and responsibility for enforcing the parking rules of the
3 Legislative Services Commission."

4 **SECTION 2.** G.S. 120-32.3 reads as rewritten:

5 "**§ 120-32.3. Oath of State ~~Legislative Building~~ General Assembly special police.**

6 Before exercising the duties of a special policeman, each ~~State Legislative Building~~
7 ~~security~~ General Assembly special police officer shall take an oath before some officer
8 empowered to administer oaths, and the oaths shall be filed with the Clerk of Superior
9 Court of Wake County. The oath of office shall be as follows:

10 "State of North Carolina, Wake County.

11 "I, _____, do solemnly swear (or affirm) that I will well and truly execute the
12 duties of General Assembly special policeman in the State Legislative Building and
13 other buildings and grounds subject to the jurisdiction of the Legislative Services
14 Commission and in other areas designated by law, according to the best of my skill and
15 ability and according to law; and that I will use my best endeavors to enforce all rules
16 and regulations of the Legislative Services Commission concerning use of those
17 buildings and ~~grounds.~~ grounds and all laws of the State of North Carolina. So help me,
18 God.

19 "Sworn and subscribed to before me, this the _____ day of _____, A.D. _____"

20 **SECTION 3.** G.S. 143-166.13(a) reads as rewritten:

21 "**§ 143-166.13. Persons entitled to benefits under Article.**

22 (a) The following persons who are subject to the Criminal Justice Training and
23 Standards Act are entitled to benefits under this Article:

- 24 (1) State Government Security Officers, Department of Administration;
- 25 (2) State Correctional Officers, Department of Corrections;
- 26 (3) State Probation and Parole Officers, Department of Corrections;
- 27 (4) Sworn State Law-Enforcement Officers with the power of arrest,
28 Department of Corrections;
- 29 (5) Alcohol Law-Enforcement Agents, Department of Crime Control and
30 Public Safety;
- 31 (6) State Highway Patrol Officers, Department of Crime Control and
32 Public Safety;
- 33 (7) ~~State Legislative Building~~ General Assembly Special Police, General
34 Assembly;
- 35 (8) Sworn State Law-Enforcement Officers with the power of arrest,
36 Department of Health and Human Services;
- 37 (9) Juvenile Justice Officers, Department of Juvenile Justice and
38 Delinquency Prevention;
- 39 (10) Insurance Investigators, Department of Insurance;
- 40 (11) State Bureau of Investigation Officers and Agents, Department of
41 Justice;
- 42 (12) Director and Assistant Director, License and Theft Enforcement
43 Section, Division of Motor Vehicles, Department of Transportation;

- 1 (13) Members of License and Theft Enforcement Section, Division of
2 Motor Vehicles, Department of Transportation, designated by the
3 Commissioner of Motor Vehicles as either "inspectors" or uniformed
4 weigh station personnel;
- 5 (14) Utilities Commission Transportation Inspectors and Special
6 Investigators;
- 7 (15) North Carolina Ports Authority Police, Department of Commerce;
- 8 (16) Sworn State Law-Enforcement Officers with the power of arrest,
9 Department of Environment and Natural Resources;
- 10 (17) Sworn State Law-Enforcement Officers with the power of arrest,
11 Department of Crime Control and Public Safety.
- 12 (18) Sworn State Law-Enforcement Officers with the power of arrest,
13 Department of Revenue.
- 14 (19) Sworn State Law-Enforcement Officers with the power of arrest,
15 University System."

16 **SECTION 4.** This act is effective when it becomes law.