

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE DRS65359-MA-385 (2/29)

Short Title: NCGA Police Powers.

(Public)

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Sponsors: Senator Rand.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO MODIFY THE SUBJECT MATTER AND TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY POLICE WITHIN WAKE COUNTY AND THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES FOR PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND LOCAL, STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES.

The General Assembly of North Carolina enacts:

**"§ 120-32.2. General Assembly ~~special police~~ Special Police.**

(a) All sworn members of the General Assembly ~~special police~~ Special Police employed by the Legislative Services Office are special ~~policemen, officers,~~ and have all the powers of ~~policemen of cities, peace officers~~ within any of the following areas of jurisdiction, while ~~on official duty;~~ so employed:

(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.~~ Wake County.

(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.

c. While performing any legislative protective detail advance work for the protection of legislative members, staff, and the public, and for physical security for any meeting of a study,

1 standing, select, joint select committee, or any commission  
2 meeting being held outside of Wake County.

3 d. While performing any legislative protective detail advance  
4 work for protection of legislative members, staff, and the  
5 public, and for providing physical security for any special event  
6 sanctioned by the General Assembly being held outside of  
7 Wake County such as local, state, regional, or national meetings  
8 of legislative bodies or representative organizations in this  
9 State, while accompanying a member of the General Assembly  
10 to or from any event listed in this subdivision, or while assigned  
11 to protect any other dignitary as requested by either the Speaker  
12 of the House or the President Pro Tempore of the Senate.

13 e. While investigating any alleged crime committed against a  
14 legislative member while the member is conducting official  
15 business on behalf of the General Assembly.

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

21 (c) The General Assembly special police ~~has~~ officers have the exclusive  
22 authority and responsibility for enforcing the parking rules of the Legislative Services  
23 Commission."

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

25 **"§ 120-32.3. Oath of General Assembly special police.** Special Police Officers.

26 Before exercising the duties of a special ~~police officer~~ police officers, each General  
27 Assembly special police officer shall take an oath before some officer empowered to  
28 administer oaths, and the oaths shall be filed with the Clerk of Superior Court of Wake  
29 County. The oath of office shall be as follows:

30 "State of North Carolina, Wake County.

31 "I, \_\_\_\_\_, do solemnly swear (or affirm) that I will well and truly execute the  
32 duties of General Assembly special ~~police officer~~ police officer in the State Legislative  
33 Building and other buildings and grounds subject to the jurisdiction of the Legislative  
34 Services Commission and in other areas designated by law, according to the best of my  
35 skill and ability and according to law; and that I will use my best endeavors to enforce  
36 all rules and regulations of the Legislative Services Commission concerning use of  
37 those buildings and grounds and all laws of the State of North Carolina. So help me,  
38 God.

39 "Sworn and subscribed to before me, this the \_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_"

40 **SECTION 3.** Chapter 120 of the General Statutes is amended by adding a  
41 new section to read:

42 **"§ 120-32.3A. Mutual aid agreements with other law enforcement agencies.**

43 The Chief of the General Assembly Special Police Department may, with the advice  
44 and consent of the Legislative Services Officer, enter into certain mutual aid agreements

1 with other units of state and local governments for the purposes of carrying out the  
2 duties prescribed in G.S. 120-32.2 and G.S. 120-32.3. These mutual aid agreements are  
3 not to authorize any subject matter or territorial jurisdiction beyond that required to  
4 provide the security and protective detail functions assigned to the General Assembly  
5 Special Police in G.S. 120-32.2(a)(2)."

6           **SECTION 4.** Of the funds appropriated to the General Assembly in the  
7 Current Operation Budget, the sum of twenty-five thousand dollars (\$25,000) shall be  
8 allocated to the General Assembly Special Police for the purpose of conducting  
9 advances for the Southern Legislative Conference to be held in Winston-Salem, Forsyth  
10 County, in 2009.

11           **SECTION 5.** This act is effective when it becomes law.