

April 17, 2007

**H 1545. COMPANY POLICE MODERNIZATION.** Filed 4/17/07. *TO MODERNIZE THE LAWS GOVERNING COMPANY POLICE.*

This act makes changes to multiple statutory provisions governing company police (private security and law enforcement).

*Powers of Attorney General:* Amends GS 74E-4(1) to add an applicant for a company police agency head or chief to the list of police personnel for whom the Attorney General (AG) may establish minimum standards for education, experience, training, and certification.

*Powers of company police:* Amends GS 74E-6(c), providing that in the event of a state-declared emergency, the Governor may request, and the AG may grant temporary extraterritorial jurisdiction to, company police officers (CPOs) to extend their police powers to state-owned or -controlled property, including roads and highways, in order to assist state and local authorities in maintaining law and order during the emergency. Provides that CPOs who have been granted temporary extraterritorial jurisdiction are to be under the management and control of the Secretary of Crime Control and Public Safety or the Secretary's designee. Amends GS 74E-6(g) to provide that the authority granted to CPOs is limited to the provisions of that Chapter unless specifically set forth in some other provision of law. (Current law restricts CPO to acting within the jurisdiction of its employing agency.)

*CPO employed by government and nongovernmental agencies or institutions:* Amends GS 74E-6 to distinguish between the powers and duties of CPOs employed by a government agency or institution and CPOs employed by a nongovernmental agency or institution. Restricts nongovernmental CPOs from making extraterritorial arrests, but provides a process by which a department head or chief of a nongovernmental company agency may make an application requesting limited extraterritorial jurisdiction to make arrests on the portion of a public road or highway passing through or immediately adjoining the requesting company police agency's jurisdiction. Enacts new GS 74E-6(h) providing that all CPOs are eligible for tuition waivers at the state's community colleges for mandatory in-service training.

Amends GS 74E-12 to increase fees charged for various applications for certification, renewal of certification, and reinstatement of certification as a company police agency or a CPO. Specifies how fees can be used. Amends GS 20-114.1(c) to include the chief of police of a company police agency as an authorized person to appoint traffic control officers. Amends GS 20-130 to allow a vehicle owned or operated by a company police agency to possess and operate a blue light on a vehicle. Amends GS 15A-402(c) to extend to officers of a certified police agency certain authority regarding arrest and transport of a person in custody outside of their territory. Amends GS 15A-402 to specify when a CPO may arrest a person outside the CPO's territorial jurisdiction. Amends GS 20-114 providing that CPOs may direct, regulate, and control pedestrian and vehicular traffic on public roads and highways running through their employer's jurisdiction. Amends GS 90-95.2(b)(2) defining "law enforcement agency" and GS 122C-3(19) defining "law enforcement officer" to include CPOs. Amends GS 160A-288.2(d) to add company police agencies certified by the AG to the list of agencies equivalent to a municipal police department.

Makes technical changes. Effective July 1, 2007.

**Intro. by Allen, Braxton.**

GS 15A, 20, 90, 74C, 74E, 122C, 160A