

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

FILED SENATE  
Apr 2, 2013  
S.B. 678  
PRINCIPAL CLERK

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SENATE DRS35238-ML-133 (03/15)

Short Title: Law Enforcement/Appointed Offices.

(Public)

Sponsors: Senator D. Davis (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO  
3 AUTHORIZE ANY PERSON WHO HOLDS AN APPOINTED OFFICE WITH A STATE  
4 OR LOCAL LAW ENFORCEMENT AGENCY TO HOLD CONCURRENTLY NO  
5 MORE THAN TWO ADDITIONAL APPOINTIVE OFFICES WITH ANOTHER  
6 AGENCY AND TO MAKE OTHER CONFORMING CHANGES.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 128-1.1 is amended by adding a new subsection to read:

9 **"§ 128-1.1. Dual-office holding allowed.**

10 (a) Any person who holds an appointive office, place of trust or profit in State or local  
11 government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the  
12 North Carolina Constitution, to hold concurrently one other appointive office, place of trust or  
13 profit, or an elective office in either State or local government.

14 (a1) Notwithstanding subsection (a) of this section, a State or local law enforcement  
15 agency may authorize any person who holds an appointive office in a State or local law  
16 enforcement agency to hold concurrently no more than two additional appointive offices with  
17 another agency.

18 (b) Any person who holds an elective office in State or local government is hereby  
19 authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina  
20 Constitution to hold concurrently one other appointive office, place of trust or profit, in either  
21 State or local government.

22 ...."

23 **SECTION 2.** G.S. 160A-284 reads as rewritten:

24 **"§ 160A-284. Oath of office; holding other offices.**

25 Each person appointed or employed as chief of police, policeman, or auxiliary policeman  
26 shall take and subscribe before some person authorized by law to administer oaths the oath of  
27 office required by Article VI, Sec. 7, of the Constitution. The oath shall be filed with the city  
28 clerk. The offices of policeman, chief of police, and auxiliary policeman are hereby declared to  
29 be offices that may be held concurrently with any other appointive office pursuant to Article  
30 VI, Sec. 9, of the ~~Constitution~~ Constitution and consistent with G.S. 128-1.1. The office of  
31 auxiliary policeman is hereby declared to be an office that may be held concurrently with any  
32 elective office pursuant to Article VI, Sec. 9, of the ~~Constitution~~ Constitution and consistent  
33 with G.S. 128-1.1."

34 **SECTION 3.** This act is effective when it becomes law.



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