

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE DRH80145-ML-145 (03/15)

Short Title: Hospital Police Power in Ashe County. (Local)

Sponsors: Representative Jordan.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE ARREST AND LAW ENFORCEMENT AUTHORITY OF
3 HOSPITAL POLICE OFFICERS IN ASHE COUNTY.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 74E-6 reads as rewritten:

6 "§ 74E-6. Oaths, powers, and authority of company police officers.

7 (a) Requirements. – An individual who is commissioned as a company police officer
8 must take the oath of office required of a law enforcement officer before the individual assumes
9 the duties of a company police officer. The person in each company police agency who is
10 responsible for the agency's company police officers must be commissioned as a company
11 police officer.

12 (b) Categories. – The following ~~three~~four distinct classifications of company police
13 officers are established:

14 (1) Campus Police Officers – Only those company police officers who are
15 employed by any college or university that is a constituent institution of The
16 University of North Carolina or any private college or university that is
17 licensed or exempted from licensure as prescribed by G.S. 116-15, and who
18 are employed by a campus police agency that was licensed pursuant to this
19 Chapter prior to the enactment of Chapter 74G of the General Statutes.

20 (1a) Hospital Police Officers – Those company police officers employed by, or
21 contracted with, a local hospital or hospital authority.

22 (2) Railroad Police Officers – Those company police officers who are employed
23 by a certified rail carrier and commissioned as company police officers
24 under this Chapter.

25 (3) Special Police Officers – All company police officers not designated as a
26 campus police officer ~~or~~officer, hospital police officer, or railroad police
27 officer.

28 (c) All Company Police. – Company police officers, while in the performance of their
29 duties of employment, have the same powers as municipal and county police officers to make
30 arrests for both felonies and misdemeanors and to charge for infractions on any of the
31 following:

32 (1) Real property owned by or in the possession and control of their employer.

33 (2) Real property owned by or in the possession and control of a person who has
34 contracted with the employer to provide on-site company police security
35 personnel services for the property.



1 (3) Any other real property while in continuous and immediate pursuit of a
2 person for an offense committed upon property described in subdivisions (1)
3 or (2) of this subsection.

4 Company police officers shall have, if duly authorized by the superior officer in charge, the
5 authority to carry concealed weapons pursuant to and in conformity with G.S. 14-269(b)(4) and
6 (5).

7 (d) Campus Police. – Campus police officers have the powers contained in subsection
8 (c) of this section and also have the powers in that subsection upon that portion of any public
9 road or highway passing through or immediately adjoining the property described in that
10 subsection, wherever located. The board of trustees of any college or university that qualifies as
11 a campus police agency pursuant to this Chapter may enter into a mutual aid agreement with
12 the governing board of a municipality or, with the consent of the county sheriff, a county to the
13 same extent as a municipal police department pursuant to Chapter 160A.

14 (d1) Hospital Police. – Hospital police officers have the powers contained in subsection
15 (c) of this section and also have the powers in that subsection upon that portion of any public
16 road or highway passing through or immediately adjoining the property described in that
17 subsection, wherever located. The chief executive officer of any local hospital or hospital
18 authority that employs or contracts with hospital police officers may do the following:

19 (1) Enter into joint agreements with the governing board of any municipality to
20 extend the law enforcement authority of hospital police officers into any or
21 all of the municipality's jurisdiction and to determine the circumstances in
22 which this extension of authority may be granted.

23 (2) Enter into joint agreements with the governing board of any county, with the
24 consent of the sheriff, to extend the law enforcement authority of hospital
25 police officers into any or all of the county's jurisdiction and to determine
26 the circumstances in which this extension of authority may be granted.

27 (e) Railroad Police. – Railroad police officers have the powers contained in subsection
28 (c) and also have the powers and authority granted by federal law or by a regulation
29 promulgated by the United States Secretary of Transportation. Notwithstanding any of the
30 provisions of this Chapter, the limitations on the power to make arrests contained in subsection
31 (c) above, shall not be applicable to railroad police officers commissioned by the Attorney
32 General pursuant to the authority of this Chapter.

33 (f) Repealed by Session Laws 2005-231, s. 3, effective July 28, 2005.

34 (g) Exclusive Authority. – Notwithstanding any other provision of law, the authority
35 granted to company police officers shall be limited to the provisions of this Chapter."

36 **SECTION 2.** This act applies to Ashe County only.

37 **SECTION 3.** This act becomes effective July 1, 2013.