

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 5
Corrected Copy 1/30/17
PROPOSED COMMITTEE SUBSTITUTE S5-PCS45411-MM-1

Short Title: Mecklenburg/Police Countywide Jurisdiction.

(Local)

Sponsors:

Referred to:

January 26, 2017

1 A BILL TO BE ENTITLED
2 AN ACT GRANTING MECKLENBURG COUNTY, WHO WAS PREVIOUSLY GRANTED
3 AUTHORITY TO EXTEND COUNTYWIDE JURISDICTION TO THE POLICE
4 DEPARTMENT OF THE CITY OF CHARLOTTE, AUTHORITY TO EXTEND LAW
5 ENFORCEMENT AUTHORITY TO AN INDIVIDUAL TOWN WITHIN THE COUNTY
6 FOR THE AREA WITHIN THAT INDIVIDUAL TOWN'S EXTRATERRITORIAL
7 JURISDICTION.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. Section 1 of Chapter 1170 of the 1969 Session Laws reads as
10 rewritten:

11 ~~"Section 1. Upon approval of the Board of Commissioners of Mecklenburg County all~~
12 ~~policemen of the City of Charlotte shall thereafter be authorized and empowered to exercise~~
13 ~~throughout the County of Mecklenburg the same jurisdiction, authority, powers and rights,~~
14 ~~including arrest and service of criminal and civil process, which they are authorized by law to~~
15 ~~exercise within the City of Charlotte, and shall have the privileges and immunities, including~~
16 ~~coverage under Workmen's Compensation laws, which they now have within the City of~~
17 ~~Charlotte, provided that the City of Charlotte and Mecklenburg County shall, prior to the~~
18 ~~exercise of any of said powers or authority, enter into an agreement setting forth the guidelines~~
19 ~~and procedures for implementation of this Act.~~
20 (a) Subject to the approval of the Mecklenburg
21 County Board of Commissioners, Mecklenburg County and the City of Charlotte are authorized
22 to enter into an agreement to extend the powers and rights exercised by Charlotte police
23 officers within the City of Charlotte throughout Mecklenburg County. Those powers include
24 jurisdiction, authority, the power to arrest, and the power to serve criminal and civil process.
25 Pursuant to this agreement, a Charlotte police officer has the same privileges, immunities, and
26 Workers' Compensation coverage throughout Mecklenburg County, as within the City of
27 Charlotte. The agreement between Mecklenburg County and the City of Charlotte must:

28 (1) Be made prior to the exercise of any powers or authority of a Charlotte
29 police officer.

30 (2) Set forth the guidelines and procedures to implement this act.

31 (b) Subject to the approval of the Mecklenburg County Board of Commissioners,
32 Mecklenburg County and any municipality in Mecklenburg County are authorized to enter into
33 an agreement to extend the powers and rights exercised by the municipality's police officers
34 within that municipality throughout that municipality's extraterritorial jurisdiction as defined in
35 G.S. 160A-360. Those powers include extraterritorial jurisdiction, as defined in G.S. 160A-360,
authority, the power to arrest, and the power to serve criminal and civil process. Pursuant to



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1 this agreement, a municipality's police officer has the same privileges, immunities, and
2 Workers' Compensation coverage throughout that municipality's extraterritorial jurisdiction
3 defined in G.S. 160A-360 as within the municipality. The agreement between Mecklenburg
4 County and the municipality must:

5 (1) Be made prior to the exercise of any powers or authority of a municipality's
6 police officer.

7 (2) Set forth the guidelines and procedures to implement this act.

8 (c) Nothing in this section should be construed to restrict or prohibit the Sheriff of
9 Mecklenburg County from exercising the powers and authority of the Sheriff's Office."

10 **SECTION 2.** This act is effective when it becomes law.