

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

S

D

SENATE BILL 5
Corrected Copy 1/30/17
Judiciary Committee Substitute Adopted 4/20/17
PROPOSED COMMITTEE SUBSTITUTE S5-PCS45413-TT-13

Short Title: Mecklenburg/Police Countywide Jurisdiction.

(Local)

Sponsors:

Referred to:

January 26, 2017

A BILL TO BE ENTITLED

AN ACT GRANTING MECKLENBURG COUNTY, WHO WAS PREVIOUSLY GRANTED
AUTHORITY TO EXTEND COUNTYWIDE JURISDICTION TO THE POLICE
DEPARTMENT OF THE CITY OF CHARLOTTE, AUTHORITY TO EXTEND LAW
ENFORCEMENT AUTHORITY TO AN INDIVIDUAL TOWN WITHIN THE COUNTY
FOR THE AREA WITHIN THAT INDIVIDUAL TOWN'S EXTRATERRITORIAL
JURISDICTION.

The General Assembly of North Carolina enacts:

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

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

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

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

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



* S 5 - P C S 4 5 4 1 3 - T T - 1 3 *

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

9 (1) Restrict or prohibit the Sheriff of Mecklenburg County from exercising the
10 powers and authority of the Sheriff's Office.

11 (2) Authorize any police officer in Mecklenburg County to exercise any power
12 or right outside of their original jurisdiction that they cannot exercise within
13 their original jurisdiction."

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