

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 645
HOUSE BILL 603

1 AN ACT TO AMEND CHAPTER 18 OF THE GENERAL STATUTES TO PROVIDE THAT
2 CERTAIN EMPLOYEES OF THE STATE BOARD OF ALCOHOLIC CONTROL BE
3 COMMISSIONED SPECIAL PEACE OFFICERS AND TO DEFINE THEIR DUTIES.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** Article 3 of Chapter 18, as the same appears in Volume 1C of the
8 General Statutes and the 1959 Cumulative Supplement thereto, is hereby amended by adding
9 four new Sections, immediately following G.S. 18-39, to be designated as G.S. 18-39.1,
10 G.S. 18-39.2, G.S. 18-39.3, and G.S. 18-39.4, and to read as follows:

11 "**G.S. 18-39.1. Authority to appoint special peace officers.** The State Board of Alcoholic
12 Control is hereby authorized and empowered to commission as special peace officers, such
13 regular employees as the State Board of Alcoholic Control may designate for the purpose of
14 enforcing the provisions of Chapter 18 of the General Statutes. Such employees shall receive
15 no additional compensation for performing the duties of peace officer.

16 "**G.S. 18-39.2. Powers of arrest.** Any regular employee of the State Board of Alcoholic
17 Control commissioned as a special peace officer shall have the right to arrest with warrant any
18 person violating the provisions of Chapter 18 of the General Statutes and shall have power to
19 pursue and arrest without warrant any person violating in his presence any of the provisions of
20 Chapter 18 and any breach of the peace including public drunkenness connected to or
21 associated with the enforcement of the provision of Chapter 18. All special peace officers
22 appointed by the State Board of Alcoholic Control shall have jurisdiction in any county or
23 municipality which has adopted any segment of the Alcoholic Beverage Control Laws, and
24 upon request of the sheriff or other lawful officer in another county, is authorized to go into
25 such other county and assist in enforcing the provisions of Chapter 18.

26 "**G.S. 18-39.3. Bonds required.** Each employee of the State Board of Alcoholic Control
27 commissioned as a special peace officer under this Chapter shall give a bond with a good
28 surety, payable to the State of North Carolina, in a sum not less than one thousand dollars
29 (\$1,000.00), conditioned upon the faithful discharge of his duty as such peace officer. The bond
30 shall be duly approved by and filed in the office of the insurance commissioner, and received in
31 evidence in all actions and proceedings in this State.

32 "**G.S. 18-39.4. Oaths required.** Before any employee of the State Board of Alcoholic Control,
33 commissioned as a special peace officer, shall exercise any power of arrest under this Chapter,
34 he shall take the oath required of public officers before an officer authorized to administer
35 oaths."

36 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

37 **Sec. 3.** This Act shall be in full force and effect from and after July 1, 1961.

38 In the General Assembly read three times and ratified, this the 6th day of June,
39 1961.