

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 878
HOUSE BILL 1262

AN ACT TO AMEND CHAPTER 160A OF THE GENERAL STATUTES TO ALLOW
POLICE AND SHERIFFS TO ASSIST STATE LAW ENFORCEMENT AGENCIES.

The General Assembly of North Carolina enacts:

Section 1. Article 13 of Chapter 160A of the General Statutes is amended by adding a new Section 160A-288.1 to read as follows:

"§ 160A-288.1. Assistance to State Law Enforcement Agencies. — (a) In accordance with rules, policies, or guidelines officially adopted by the governing body of the city or county by which he is employed, and subject to any conditions or restrictions included therein, the head of any local law enforcement agency may temporarily provide assistance to a State law enforcement agency in enforcing the laws of North Carolina if so requested in writing by the head of the State agency. The assistance may comprise allowing officers of the local agency to work temporarily with officers of the State agency (including in an undercover capacity) and lending equipment and supplies. While working with the State agency under the authority of this section, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and the payment of judgments) as the officers of the State agency in addition to those he normally possesses. While on duty with the State agency, he shall be subject to the lawful operational commands of his superior officers in the State agency, but he shall for personnel and administrative purposes, remain under the control of the local agency, including for purposes of pay. He shall furthermore be entitled to workmen's compensation and the same benefits when acting pursuant to this section to the same extent as though he were functioning within the normal scope of his duties.

(b) As used in this section:

1. 'Head' means any director or chief officer of any State or local law enforcement agency including the chief of police of a local department, chief of police of a county police department, and the sheriff of a county, or an officer of the agency to whom the head of that agency has delegated authority to make or grant requests under this section, but only one officer in the agency shall have this delegated authority at any time.
2. 'Local law enforcement agency' means any municipal police department, a county police department, or a sheriff's department.
3. 'State law enforcement agency' means any State agency, force, department, or unit responsible for enforcing criminal laws.

(c) This section in no way reduces the jurisdiction or authority of State law enforcement officers."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 8th day of July, 1981.