

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

SESSION LAW 2017-42
SENATE BILL 5

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

- (1) Be made prior to the exercise of any powers or authority of a municipality's police officer.
- (2) Set forth the guidelines and procedures to implement this act.



(c) Nothing in this section shall:

- (1) Restrict or prohibit the Sheriff of Mecklenburg County from exercising the powers and authority of the Sheriff's Office.
- (2) Authorize any police officer in Mecklenburg County to exercise any power or right outside of their original jurisdiction that they cannot exercise within their original jurisdiction."

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

In the General Assembly read three times and ratified this the 22nd day of June,

2017.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives