

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 425

Short Title: Arrest Warrants/Copies.

(Public)

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Sponsors: Senator Clodfelter.

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Referred to: Judiciary I.

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March 18, 1999

A BILL TO BE ENTITLED

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2 AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY ARREST A  
3 PERSON ON PRIVATE PREMISES OR IN A VEHICLE IN ACCORDANCE  
4 WITH STATE LAW WITH A COPY OF THE ORIGINAL ARREST WARRANT  
5 OR ORDER.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 15A-401(e) reads as rewritten:

8 "(e) Entry on Private Premises or Vehicle; Use of Force. –

9 (1) A law-enforcement officer may enter private premises or a vehicle to  
10 effect an arrest when:

- 11 a. The officer has in his possession a warrant or order or a copy of  
12 the warrant or order for the arrest of a person or is authorized to  
13 arrest a person without a warrant or order having been issued,  
14 b. The officer has reasonable cause to believe the person to be  
15 arrested is present, and  
16 c. The officer has given, or made reasonable effort to give, notice of  
17 his authority and purpose to an occupant thereof, unless there is  
18 reasonable cause to believe that the giving of such notice would  
19 present a clear danger to human life.

- 1           (2)    The law-enforcement officer may use force to enter the premises or  
2                    vehicle if he reasonably believes that admittance is being denied or  
3                    unreasonably delayed, or if he is authorized under subsection (e)(1)c to  
4                    enter without giving notice of his authority and purpose."  
5            Section 2. This act is effective when it becomes law.