

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**HOUSE BILL 1425  
Committee Substitute Favorable 5/27/04**

Short Title: Morganton/Burke/Broughton Mutual Aid/WPCC.

(Local)

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Sponsors:

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Referred to:

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May 13, 2004

A BILL TO BE ENTITLED

1  
2 AN ACT TO ALLOW THE BROUGHTON POLICE DEPARTMENT TO ENTER  
3 INTO MUTUAL AID AGREEMENTS WITH THE CITY OF MORGANTON  
4 POLICE DEPARTMENT AND THE BURKE COUNTY SHERIFF'S OFFICE,  
5 AND TO ALLOW THE BROUGHTON POLICE DEPARTMENT TO EXERCISE  
6 ITS POWERS AT WESTERN PIEDMONT COMMUNITY COLLEGE.

7 The General Assembly of North Carolina enacts:

8       **SECTION 1.(a)** The Broughton Police Department (the "joint security  
9 force" created under G.S. 122C-430) shall be considered a law enforcement agency  
10 under G.S. 160A-288(b)(2).

11       **SECTION 1.(b)** This section applies only to the City of Morganton and to  
12 Burke County.

13       **SECTION 2.(a)** G.S. 122C-430 reads as rewritten:

14 "**§ 122C-430. Joint security force.**

15       (a) The Secretary may designate one or more special police officers who shall  
16 make up a joint security force to enforce the law of North Carolina and any ordinance or  
17 regulation adopted pursuant to G.S. 143-116.6 or G.S. 143-116.7 or pursuant to the  
18 authority granted the Department by any other law on the territory of the Broughton  
19 Hospital, North Carolina School for the Deaf, Western Regional Vocational  
20 Rehabilitation Facility, Western Carolina Center, and the surrounding grounds and land  
21 adjacent to Broughton Hospital allocated to the Department of Agriculture and  
22 Consumer Services, all in Burke County. After taking the oath of office for law  
23 enforcement officers as set out in G.S. 11-11, these special police officers have the same  
24 powers as peace officers now vested in sheriffs within the territory embraced by the  
25 named facilities. These special police officers may arrest persons outside the territory of  
26 the named institutions but within the confines of Burke County when the person  
27 arrested has committed a criminal offense within that territory for which the officers  
28 could have arrested the person within that territory, and the arrest is made during the  
29 person's immediate and continuous flight from that territory.

1       (b) With the agreement of the board of trustees of Western Piedmont Community  
2 College and the Department of Health and Human Services, these special police officers  
3 may exercise any and all of the powers enumerated in this Part upon or in pursuit from  
4 the property owned or operated (or both) by the trustees of Western Piedmont  
5 Community College."

6               **SECTION 2.(b)** This section applies only in Burke County.

7               **SECTION 3.** This act is effective when it becomes law.