

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS35238-ML-133 (03/15)

Short Title: Law Enforcement/Appointed Offices. (Public)

Sponsors: Senator D. Davis (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO
3 AUTHORIZE ANY PERSON WHO HOLDS AN APPOINTED OFFICE WITH A STATE
4 OR LOCAL LAW ENFORCEMENT AGENCY TO HOLD CONCURRENTLY NO
5 MORE THAN TWO ADDITIONAL APPOINTIVE OFFICES WITH ANOTHER
6 AGENCY AND TO MAKE OTHER CONFORMING CHANGES.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 128-1.1 is amended by adding a new subsection to read:

9 **"§ 128-1.1. Dual-office holding allowed.**

10 (a) Any person who holds an appointive office, place of trust or profit in State or local
11 government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the
12 North Carolina Constitution, to hold concurrently one other appointive office, place of trust or
13 profit, or an elective office in either State or local government.

14 (a1) Notwithstanding subsection (a) of this section, a State or local law enforcement
15 agency may authorize any person who holds an appointive office in a State or local law
16 enforcement agency to hold concurrently no more than two additional appointive offices with
17 another agency.

18 (b) Any person who holds an elective office in State or local government is hereby
19 authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina
20 Constitution to hold concurrently one other appointive office, place of trust or profit, in either
21 State or local government.

22"

23 **SECTION 2.** G.S. 160A-284 reads as rewritten:

24 **"§ 160A-284. Oath of office; holding other offices.**

25 Each person appointed or employed as chief of police, policeman, or auxiliary policeman
26 shall take and subscribe before some person authorized by law to administer oaths the oath of
27 office required by Article VI, Sec. 7, of the Constitution. The oath shall be filed with the city
28 clerk. The offices of policeman, chief of police, and auxiliary policeman are hereby declared to
29 be offices that may be held concurrently with any other appointive office pursuant to Article
30 VI, Sec. 9, of the ~~Constitution~~ Constitution and consistent with G.S. 128-1.1. The office of
31 auxiliary policeman is hereby declared to be an office that may be held concurrently with any
32 elective office pursuant to Article VI, Sec. 9, of the ~~Constitution~~ Constitution and consistent
33 with G.S. 128-1.1."

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



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