A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE MUTUAL AID AGREEMENTS WITH OUT-OF-STATE LAW-ENFORCEMENT AGENCIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-288 reads as rewritten:

(a) Unless specifically prohibited or limited by an ordinance officially adopted by the governing body of the city or county by which the person is employed, appointed, or elected to serve, the head of any law-enforcement agency may temporarily provide assistance to another agency in enforcing the laws of North Carolina if so requested in writing by the head of the requesting agency. The assistance may comprise allowing officers of the agency to work temporarily with officers of the requesting agency (including in an undercover capacity) and lending equipment and supplies. While working with the requesting 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 payment of judgments) as the officers of the requesting agency in addition to those the officer normally possesses. While on duty with the requesting agency, the officer shall be subject to the lawful operational commands of the officer’s superior officers in the requesting agency, but the officer shall for personnel and administrative purposes, remain under the control of the officer’s own agency, including for purposes of pay. The officer shall furthermore be entitled to workers' compensation and the same benefits when acting pursuant to this section to the same extent as though the officer were functioning within the normal scope of the officer's duties.

(b) As used in this section:

(2) "Law-enforcement agency" or "agency" means only a municipal police department, a county police department, or a sheriff’s office—office of this State. Subject to G.S. 15A-403, it also includes a municipal police department or sheriff’s office of another state if the laws of the other state allow for the provision of mutual aid with out-of-state law-enforcement officers. All other State and local agencies are exempted from the provisions of this section.

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