

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 629
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40285-ND-91

Short Title: Law-Enforcement Mutual Aid. (Public)

Sponsors: Representatives McNeill and C. Smith (Primary Sponsors).

Referred to:

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

4 The General Assembly of North Carolina enacts:

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

6 "§ 160A-288. Cooperation between law-enforcement agencies.

7 (a) Unless specifically prohibited or limited by an ordinance officially adopted by the
8 governing body of the city or county by which the person is employed, appointed, or elected to
9 serve, the head of any law-enforcement agency may temporarily provide assistance to another
10 agency ~~in enforcing the laws of North Carolina~~ if so requested in writing by the head of the
11 requesting agency. The assistance may comprise allowing officers of the agency to work
12 temporarily with officers of the requesting agency (including in an undercover capacity) and
13 lending equipment and supplies. While working with the requesting agency under the authority
14 of this section, an officer shall have the same jurisdiction, powers, rights, privileges and
15 immunities (including those relating to the defense of civil actions and payment of judgments)
16 as the officers of the requesting agency in addition to those the officer normally possesses. While
17 on duty with the requesting agency, the officer shall be subject to the lawful operational
18 commands of the officer's superior officers in the requesting agency, but the officer shall for
19 personnel and administrative purposes, remain under the control of the officer's own agency,
20 including for purposes of pay. The officer shall furthermore be entitled to workers' compensation
21 and the same benefits when acting pursuant to this section to the same extent as though the officer
22 were functioning within the normal scope of the officer's duties.

23 (b) As used in this section:

24 ...

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

31"

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

