

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 757
Apr 29, 2021
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10293-ND-57

Short Title: The Police Use-of-Force Transparency Act. (Public)

Sponsors: Representative Szoka.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENSURE TRANSPARENCY IN USE OF FORCE BY LAW ENFORCEMENT
3 OFFICERS IN NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) Article 1 of Chapter 114 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 114-2.7B. Database for law enforcement officer critical incident information.**

8 (a) The Department of Justice, in consultation with the Criminal Justice Education and
9 Training Standards Commission and the Sheriffs' Education and Training Standards
10 Commission, shall develop and maintain a statewide database for use by law enforcement
11 agencies that tracks all critical incident data of law enforcement officers in North Carolina. For
12 purposes of this section, "critical incident" shall be defined as an incident involving any use of
13 force by a law enforcement officer that results in death or serious bodily injury to a person.

14 (b) All law enforcement agencies in the State, including, but not limited to, the State
15 Highway Patrol, the State Bureau of Investigation, county sheriffs' offices, municipal police
16 departments, campus police agencies, and company police agencies, shall provide to the
17 Department of Justice information requested to maintain the database required by subsection (a)
18 of this section.

19 (c) Information collected under this section that is confidential under State or federal law
20 shall remain confidential."

21 SECTION 1.(b) Article 4 of Chapter 20 of the General Statutes is amended by
22 adding a new section to read:

23 "**§ 20-196.7. Provide use of force information to the Department of Justice.**

24 The State Highway Patrol shall provide to the Department of Justice requested information
25 regarding the use of force of State Troopers to maintain the statewide database developed
26 pursuant to G.S. 114-2.7B.

27 Information collected under this section that is confidential under State or federal law shall
28 remain confidential."

29 SECTION 1.(c) Chapter 74E of the General Statutes is amended by adding a new
30 section to read:

31 "**§ 74E-10.2. Provide use of force information to the Department of Justice.**

32 A company police agency shall provide to the Department of Justice requested information
33 regarding the use of force of its law enforcement officers to maintain the statewide database
34 developed pursuant to G.S. 114-2.7B.

35 Information collected under this section that is confidential under State or federal law shall
36 remain confidential."



1 **SECTION 1.(d)** Chapter 74G of the General Statutes is amended by adding a new
2 section to read:

3 **"§ 74G-10.2. Provide use of force information to the Department of Justice.**

4 A campus police agency shall provide to the Department of Justice requested information
5 regarding the use of force of its law enforcement officers to maintain the statewide database
6 developed pursuant to G.S. 114-2.7B.

7 Information collected under this section that is confidential under State or federal law shall
8 remain confidential."

9 **SECTION 1.(e)** Subpart C of Part 4 of Article 13 of Chapter 143B of the General
10 Statutes is amended by adding a new section to read:

11 **"§ 143B-927.2. Provide use of force information to the Department of Justice.**

12 The State Bureau of Investigation shall provide to the Department of Justice requested
13 information regarding the use of force of its law enforcement officers to maintain the statewide
14 database developed pursuant to G.S. 114-2.7B.

15 Information collected under this section that is confidential under State or federal law shall
16 remain confidential."

17 **SECTION 1.(f)** Article 10 of Chapter 153A of the General Statutes is amended by
18 adding a new section to read:

19 **"§ 153A-213.1. Provide use of force information to the Department of Justice.**

20 A county shall provide to the Department of Justice requested information regarding the use
21 of force of its law enforcement officers to maintain the statewide database developed pursuant to
22 G.S. 114-2.7B.

23 Information collected under this section that is confidential under State or federal law shall
24 remain confidential."

25 **SECTION 1.(g)** Article 13 of Chapter 160A of the General Statutes is amended by
26 adding a new section to read:

27 **"§ 160A-290.1. Provide use of force information to the Department of Justice.**

28 A city shall provide to the Department of Justice requested information regarding the use of
29 force of its law enforcement officers to maintain the statewide database developed pursuant to
30 G.S. 114-2.7B.

31 Information collected under this section that is confidential under State or federal law shall
32 remain confidential."

33 **SECTION 2.** This act becomes effective October 1, 2021.