



HOUSE BILL 55: Apex/Cary/Police Assistance on School Grounds.

2017-2018 General Assembly

Committee:	House State and Local Government II	Date:	March 8, 2017
Introduced by:	Reps. Adcock, Williams, Dollar, Duane Hall	Prepared by:	Nicholas Giddings
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 55 temporarily extends the jurisdictional limits of the Apex Police Department into Cary, allowing the Apex Police Department to have jurisdiction over Apex High School, which will be temporarily located in Cary. This bill applies to Cary and Apex only and will sunset on July 1, 2020. This bill is supported by the Towns of Apex and Cary.*¹

CURRENT LAW/BACKGROUND: Law enforcement agencies in North Carolina may temporarily provide assistance to other agencies when requested in writing by the other agency.² Without a written request from the agency seeking assistance, law enforcement agencies have limited authority to assist in law enforcement matters of other jurisdictions.

At the conclusion of the 2016-2017 school year, the Wake County Public School System will begin a project to rebuild Apex High School. Apex High School will be temporarily moved to 7612 Roberts Road in Cary for a two year period during this rebuilding process. Once the rebuild is completed, Apex High School will relocate back to its original location and the Cary location will become Green Level High School.

The Town of Cary has a contract with the Wake County Public School System to staff each high school in its jurisdiction with a School Resource Officer. The Town of Apex also wishes to provide a School Resource Officer at the temporary location for Apex High School from its police department and continue to provide law enforcement services to the high school.

BILL ANALYSIS: House Bill 55 would create G.S. 160A-288.2A, which would apply to the Towns of Apex and Cary only. The bill would provide the Apex Police Department authority to assist in law enforcement matters at Apex High School while it is temporarily located in Cary. Any officers from Apex working in Cary will have the same powers and immunities afforded to officers in Apex and Cary. Officers from Apex will be under the command of, and paid by, the Apex Police Department. Further, the officers from Apex will be afforded benefits, such as worker's compensation, as normal. Lastly, nothing in the bill reduces the jurisdiction or authority of State law enforcement officers.

EFFECTIVE DATE: Effective when law. Expires July 1, 2020.

¹ <http://www.apexnc.org/DocumentCenter/View/15362>.

² See G.S. 160A-288.

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