



# HOUSE BILL 669: Fees to Certify as a Company Police Agency.

This Bill Analysis reflects the contents of the bill as it was presented in committee.

2017-2018 General Assembly

<b>Committee:</b>	House Judiciary III. If favorable, re-refer to Finance	<b>Date:</b>	June 13, 2017
<b>Introduced by:</b>	Rep. Faircloth	<b>Prepared by:</b>	Billy R. Godwin
<b>Analysis of:</b>	PCS to First Edition H669-CSBDf-27		Staff Attorney

**OVERVIEW:** House Bill 669 would raise the fees the Attorney General is authorized to charge to administer the Company Police Act. The proposed committee substitute (PCS) to House Bill 669 would also authorize identical fee increases under the Campus Police Act. The bill would become effective on January 1, 2018.

**CURRENT LAW:** Company police agencies are licensed and regulated by the Attorney General under the *Company Police Act* of Chapter 74E of the General Statutes. Company police agencies must maintain liability insurance. Company police officers are sworn law enforcement officers who must meet and maintain the same minimal standards required of State law enforcement officers as established by the Criminal Justice Education and Training Standards Commission. Company police officers fall into three categories namely Campus Police, Railroad Police, or Special Police.<sup>1</sup> During the performance of their duties of employment, they have the same powers as municipal and county police officers to make arrests for both felonies and misdemeanors and may charge for infractions occurring in the following locations:

- Real property owned or in the possession and control of their employer;
- Real property owned or in the possession and control of a person who has contracted with their employer for on-site company police security personnel services; and
- Any other real property while in continuous and immediate pursuit of a person for an offense committed on the property described above.

If authorized by a superior officer, company police officers may carry concealed weapons. A violation of any of the provisions of Chapter 74E by any person, firm, association, or corporation, or their agents and employees is a Class 1 misdemeanor.

The *Campus Police Act*, Chapter 74G of the General Statutes, authorizes public institutions operating under the Board of Governors of the University of North Carolina or the State Board of Community Colleges, and private educational institutions licensed, or exempt from licensure by, the Board of Governors, to apply to the Attorney General to be certified as a campus police agency. The provisions of Chapter 74G regarding certification, insurance, training and standards, jurisdiction and arrest authority, and the carrying of concealed weapons, parallel that of company police agencies under Chapter 74E.

<sup>1</sup> The Campus Police Act, S.L. 2005-231, enacted Chapter 74G and placed statutory provisions pertaining to campus police within its own chapter of the General Statutes.

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The Attorney General is authorized to charge fees for the administration of both Chapter 74E and Chapter 74G, including annual renewal fees for the certification of company and campus police agencies and individual company and campus police officers.

**BILL ANALYSIS:** The PCS to House Bill 669 would enable the Attorney General to raise the following administrative fees under G.S. 74E-12 (Company Police Act) and G.S. 74G-12 (Campus Police Act):

- Application for police agency certification from \$250.00 to \$500.00.
- Annual renewal fee for police agency certification from \$200.00 to \$250.00.
- Application for police officer commission from \$100.00 to \$300.00.
- Annual renewal fee for police officer commission from \$50.00 to \$150.00.

**EFFECTIVE DATE:** The bill would become effective on January 1, 2018.