



HOUSE BILL 119: Fees to Certify as a Company Police Agency.

2019-2020 General Assembly

Committee:	House Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 27, 2019
Introduced by:	Reps. Faircloth, Ross	Prepared by:	Trina Griffin
Analysis of:	PCS to First Edition H119-CSSVf-3		Committee Co-Counsel

OVERVIEW: *House Bill 119 would increase the maximum fees the Attorney General may charge to certify company police agencies and campus police agencies and to commission their respective officers. The PCS would change the effective date from January 1, 2020, to July 1, 2019.*

CURRENT LAW: The Attorney General certifies company and campus police agencies, commissions individuals as company or campus police officers, and charges fees for the purpose of administering these programs. With respect to both types of agencies, the Attorney General's oversight responsibilities include the following:

- Establishing minimum education, experience, and training standards, including the administration of examinations for certification.
- Conducting investigations regarding alleged violations of the provisions governing company police officers and campus police officers.
- Denying, suspending, or revoking certifications for an agency's or officer's failure to meet the requirements of Chapter 74E (Company Police Act) or Chapter 74G (Campus Police Act).
- Auditing the agencies and inspecting records maintained by the agencies.

Company police agencies. – A hospital, a State institution, or corporation that provides on-site police security services for the protection of persons or property may apply to the Attorney General to be certified as a company police agency. A company police agency may apply to the Attorney General to commission an individual designated by the agency to act as a company police officer. Company police officers include campus¹, railroad, and special police officers. Currently, there are 60 company police agencies and 800 sworn officers certified by the Attorney General.

Campus police agencies. – A public educational institution operating under the authority of the Board of Governors of The University of North Carolina or the State Board of Community Colleges and private educational institutions licensed by the Board of Governors or that are exempt from licensure² may apply to the Attorney General to be certified as a campus police agency. Currently, there are 18 campus police agencies and 219 sworn officers certified by the Attorney General.

¹ A company police officer who is employed by a constituent institution of The University of North Carolina or any private college or university and who was employed by a campus police agency prior to the enactment of Chapter 74G of the General Statutes, titled Campus Police Act, which was enacted in 2005.

² These institutions are generally known as the North Carolina Independent Colleges & Universities.

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Company and campus police officers have the same powers as municipal and county police officers to arrest for felonies and misdemeanors and to charge for infractions that are committed on properties they are charged to protect.

BILL ANALYSIS: The Proposed Committee Substitute for House Bill 119 would increase the amount of fees the Attorney General may charge for the certification, renewal, and commission of company and campus police agencies and their officers as indicated in the charts below. The fees have not been increased since the original enactment of the respective chapters governing these agencies, that being 1992 for company police agencies and 2005 for campus police agencies. The fees stay within the Department of Justice for purposes of administering these programs, but the revenue generated does not cover the entire cost.

COMPANY POLICE AGENCIES

Item	Current Maximum Fee	Proposed Maximum Fee
Application for certification as a company police agency	\$250	\$500
Annual renewal of certification as a company police agency	\$200	\$250
Application for reinstatement of certification as a company police agency	\$1,000	No change requested
Application for commission as a company police officer	\$100	\$300
Annual renewal of commission as a company police officer	\$50	\$150
Application for reinstatement of commission as a company police officer	\$150	No change requested

CAMPUS POLICE AGENCIES

Item	Current Maximum Fee	Proposed Maximum Fee
Application for certification as a campus police agency	\$250	\$500
Annual renewal of certification as a campus police agency	\$200	\$250
Application for reinstatement of certification as a campus police agency	\$1,000	No change requested
Application for commission as a campus police officer	\$100	\$300
Annual renewal of commission as a campus police officer	\$50	\$150
Application for reinstatement of commission as a campus police officer	\$150	No change requested

EFFECTIVE DATE: The PCS would become effective July 1, 2019.