



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

HOUSE BILL 760: Expand Loss Prevention Investigations.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 2, 2019
Introduced by:	Reps. Reives, Stevens	Prepared by:	Shawn Middlebrooks Staff Attorney
Analysis of:	PCS to First Edition H760-CSBQ-23		

OVERVIEW: The Proposed Committee Substitute (PCS) to House Bill 760 would:

- Expand the investigative authority of loss prevention workers by clarifying that such workers are not included in the definition of a private protective services profession.
- Clarify that a prosecution for obtaining property by false pretenses is not barred because some acts constituting the crime did not occur within the State.

CURRENT LAW:

Section 1.

No person, firm, association, or corporation shall engage in, perform, any service as, or in any way represent or hold itself out as engaged in a private protective services profession or activity in this State without having a license. G.S. 74C-2.

A private protective services profession **includes**: Armored car profession; Courier services profession; Detection of deception examiner; Electronic countermeasure profession; Security guard and patrol profession; Guard dog service profession; Private detective or private investigator; and Special limited guard and patrol profession. G.S. 74C-3(a).

A private protective services profession **does not include** an employee of a security department of a private business that conduct investigations exclusively on matters internal to the business of affairs of the business. G.S. 74C-3(b)(14).

The **PCS to House Bill 760** would amend G.S. 74C-3(b)(14) to clarify that loss prevention employees are not included in the definition of a private protection services profession.

Section 2.

Any person who knowingly and designedly by means of false pretenses obtains or attempts to obtain money, goods, property, chose in action or anything of value with the intent defraud is guilty of felony, provided that it shall be Class C felony if the value of the items is \$100,00 or more, and a Class H felony if the value of the item is \$100,000 or less.

The **PCS to House Bill 760** would clarify that a prosecutor is not required to establish and it is not a defense under this section if some part of the offense occurred outside of the jurisdiction of the State.

EFFECTIVE DATE: Except as otherwise provided, this act is effective when it becomes law.

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Director



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