



SENATE BILL 191: Out-of-State Law Enforcement/2020 Republican Convention.

2019-2020 General Assembly

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| Committee: | | Date: | December 12, 2019 |
| Introduced by: | | Prepared by: | Bill Patterson Staff Attorney |
| Analysis of: | S.L. 2019-109 | | |

OVERVIEW: *S.L. 2019-109 authorizes a police department in a city with a population exceeding 500,000 to contract with an out-of-state law enforcement agency for the use of officers and equipment for a designated period.*

This change becomes effective January 1, 2020, applies to all intergovernmental law enforcement agreements entered into on or after that date, and expires October 1, 2020.

Contingent upon House Bill 966 becoming law, the act also amends that bill's requirement that the Department of Administration select land in Granville County for relocation of certain State agency facilities. The amendment would require the selected land to be located in a specified business and industrial park if the land is donated to the State or conveyed for the sum of \$1.00. As of the date of this summary, a precondition to this provision becoming effective has not yet occurred, because the Governor's veto of House Bill 966 has not been overridden.

CURRENT LAW: Article 13 of Chapter 160A of the General Statutes authorizes cooperation between State and local law enforcement agencies, but does not expressly authorize a municipal law enforcement agency to receive assistance from an *out-of-state* law enforcement agency.

BILL ANALYSIS: Section 1 of the act authorizes the director or chief officer of a police department in a municipality with a population exceeding 500,000 to enter into an agreement with an out-of-state law enforcement agency for the use of officers or equipment for a designated period.

Section 1 also provides that participating out-of-state law enforcement officers who are certified and sworn in their home jurisdiction are deemed to have met State certification requirements for being sworn as a law enforcement officer for the municipal police department contracting for their service.

In addition, Section 1 makes an exception to the statutory prohibition against dual-office holding for of out-of-state law enforcement officers providing assistance under a contract with a municipal police department, when one of the offices held is that of an out-of-state law enforcement officer and the other office held is that of a law enforcement officer for a municipality authorized to enter into a temporary intergovernmental agreement under the act.

Section 2.5 of the act also provides that if House Bill 966 becomes law, a section of that bill requiring the Department of Administration to select land in Granville county for relocation of certain State agency facilities is amended to require the selected land to be located in the Triangle North Granville Business and Industrial Park, if it is donated to the State or conveyed for the sum of \$1.00.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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EFFECTIVE DATE: Section 1 of the act becomes effective January 1, 2020, applies to all intergovernmental law enforcement agreements entered into on or after that date, and expires October 1, 2020.

The effective date of Section 2.5 is contingent upon House Bill 966 becoming law. As of the date of this summary, the General Assembly has not overridden the Governor's veto of this bill, and therefore this contingency has not yet occurred.

SECTION 1 BACKGROUND: The City of Charlotte will be hosting the 2020 Republican National Convention. This act authorizes the city's police department to contract with out-of-state law enforcement agencies for assistance during this event.¹ The General Assembly passed similar legislation prior to the 2012 Democratic National Convention, which was also hosted in Charlotte, North Carolina.²

Legislative Analysis Division Staff Attorney Kristen Harris substantially contributed to this summary.

¹ According to the [U.S. Census Bureau](#), as of July 1, 2018, Charlotte's estimated population was 872,498, and the State's next-largest city, Raleigh, had an estimated population of 469,298.

² S.L. 2011-316.