



SENATE BILL 191: Out-of-State Law Enforcement/2020 Rep Convtn.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 17, 2019
Introduced by:	Sens. Waddell, Bishop	Prepared by:	Kristen L. Harris*
Analysis of:	PCS to First Edition S191-CSSA-51		Committee Co-Counsel

OVERVIEW: *The Proposed Committee Substitute for Senate Bill 191 would 1) authorize 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 and 2) add an exception to the hours allowed for the sale and consumption of alcohol by certain permittees for a designated period of time.*

CURRENT LAW: Article 13 of Chapter 160A governs municipal law enforcement agencies. Among other things, it authorizes cooperation between State and local law enforcement agencies. However, it does not expressly authorize a municipal law enforcement agency to receive assistance from an out-of-state law enforcement agency.

BILL ANALYSIS: **Section 1** would enact a new section in Article 13 of Chapter 160A authorizing 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.

Participating out-of-state law enforcement officers who are certified and sworn in their home jurisdiction would be 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, an exception to the statutory prohibition against dual-office holding would be made for out-of-state law enforcement officers providing assistance under a contract with a municipal police department, when the one of the appointive offices is that of an out-of-state law enforcement officer and the other appointive office is that of a law enforcement officer for a municipality authorized to enter into a temporary intergovernmental agreement under the act.

Section 2 would add an exception to the hours allowed for the sale and consumption of malt beverages, unfortified wine, fortified wine, and mixed beverages by certain permittees for a designated period of time.

EFFECTIVE DATE: Section 1 would become effective January 1, 2020, would apply to all intergovernmental law enforcement agreements entered into on or after that date, and would expire October 1, 2020. Section 2 would become effective August 22, 2020 and would expire August 30, 2020. Except as otherwise provided, this act is effective when it becomes law.

BACKGROUND: The City of Charlotte will be hosting the 2020 Republican National Convention. Senate Bill 191 would authorize the city's police department to contract with out-of-state law enforcement

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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

**Bill Patterson, Legislative Analysis Division, substantially contributed to this summary.*

¹ According to the [U.S. Census Bureau](#), as of July 1, 2017, Charlotte's estimated population was 859,035, and the State's next-largest city, Raleigh, had an estimated population of 464,758.

² S.L. 2011-316.