

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 274

Short Title: Law Enforcement/Appointed Offices. (Public)

Sponsors: Senators D. Davis (Primary Sponsor); and Smith-Ingram.

Referred to: Rules and Operations of the Senate.

March 16, 2015

A BILL TO BE ENTITLED

AN ACT TO ALLOW STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO AUTHORIZE ANY PERSON WHO HOLDS AN APPOINTED OFFICE WITH A STATE OR LOCAL LAW ENFORCEMENT AGENCY TO HOLD CONCURRENTLY NO MORE THAN TWO ADDITIONAL APPOINTIVE OFFICES WITH ANOTHER AGENCY AND TO MAKE OTHER CONFORMING CHANGES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 128-1.1 is amended by adding a new subsection to read:

"§ 128-1.1. Dual-office holding allowed.

(a) Any person who holds an appointive office, place of trust or profit in State or local government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina Constitution, to hold concurrently one other appointive office, place of trust or profit, or an elective office in either State or local government.

(a1) Notwithstanding subsection (a) of this section, a State or local law enforcement agency may authorize any person who holds an appointive office in a State or local law enforcement agency to hold concurrently no more than two additional appointive offices with another agency.

(b) Any person who holds an elective office in State or local government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina Constitution to hold concurrently one other appointive office, place of trust or profit, in either State or local government.

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SECTION 2. G.S. 160A-284 reads as rewritten:

"§ 160A-284. Oath of office; holding other offices.

Each person appointed or employed as chief of police, policeman, or auxiliary policeman shall take and subscribe before some person authorized by law to administer oaths the oath of office required by Article VI, Sec. 7, of the Constitution. The oath shall be filed with the city clerk. The offices of policeman, chief of police, and auxiliary policeman are hereby declared to be offices that may be held concurrently with any other appointive office pursuant to Article VI, Sec. 9, of the ~~Constitution~~ Constitution and consistent with G.S. 128-1.1. The office of auxiliary policeman is hereby declared to be an office that may be held concurrently with any elective office pursuant to Article VI, Sec. 9, of the ~~Constitution~~ Constitution and consistent with G.S. 128-1.1."

SECTION 3. This act is effective when it becomes law.

