

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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**SENATE BILL 162
Judiciary Committee Substitute Adopted 4/19/17**

Short Title: LEO Assistance and Protection Act of 2017.

(Public)

Sponsors:

Referred to:

March 2, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE COMPANY POLICE THE AUTHORITY TO ACTIVATE THEIR
3 BLUE LIGHT IN EMERGENCY SITUATIONS; TO DIRECT TRAFFIC ON ALL
4 PUBLIC ROADS ADJACENT TO THE FACILITY WHERE THEY ARE EMPLOYED;
5 TO ENTER INTO MUTUAL AID AGREEMENTS WITH LOCAL LAW
6 ENFORCEMENT AGENCIES; AND TO PROVIDE ASSISTANCE TO LOCAL LAW
7 ENFORCEMENT AGENCIES UPON REQUEST REGARDLESS OF WHETHER A
8 MUTUAL AID AGREEMENT IS IN PLACE.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 74E-6 reads as rewritten:

11 "**§ 74E-6. Oaths, powers, and authority of company police officers.**

12 (a) Requirements. – An individual who is commissioned as a company police officer
13 must take the oath of office required of a law enforcement officer before the individual assumes
14 the duties of a company police officer. The person in each company police agency who is
15 responsible for the agency's company police officers must be commissioned as a company
16 police officer.

17 (b) Categories. – The following three distinct classifications of company police officers
18 are established:

19 (1) Campus Police Officers – Only those company police officers who are
20 employed by any college or university that is a constituent institution of The
21 University of North Carolina or any private college or university that is
22 licensed or exempted from licensure as prescribed by G.S. 116-15, and who
23 are employed by a campus police agency that was licensed pursuant to this
24 Chapter prior to the enactment of Chapter 74G of the General Statutes.

25 (2) Railroad Police Officers – Those company police officers who are employed
26 by a certified rail carrier and commissioned as company police officers
27 under this Chapter.

28 (3) Special Police Officers – All company police officers not designated as a
29 campus police officer or railroad police officer.

30 (c) All Company Police. – Company police officers, while in the performance of their
31 duties of employment, have the same powers as municipal and county police officers to make
32 arrests for both felonies and misdemeanors and to charge for infractions on any of the
33 following:

34 (1) Real property owned by or in the possession and control of their employer.



1 (2) Real property owned by or in the possession and control of a person who has
2 contracted with the employer to provide on-site company police security
3 personnel services for the property.

4 (3) Any other real property while in continuous and immediate pursuit of a
5 person for an offense committed upon property described in subdivisions (1)
6 or (2) of this subsection.

7 (4) On all public roads passing through and immediately adjoining the facility
8 where company police officers are employed, if the facility is a public
9 school, hospital, or airport. This includes the authority to direct traffic on all
10 public roads passing through and immediately adjoining a public school,
11 hospital, or airport where the company police officers are employed.

12 Company police officers shall have, if duly authorized by the superior officer in charge, the
13 authority to carry concealed weapons pursuant to and in conformity with G.S. 14-269(b)(4) and
14 (5). Company police officers shall have the authority to activate their blue light in an
15 emergency situation on a public roadway when they stop to assist a motorist or to render
16 assistance to a law enforcement officer or first responder, or in an emergency situation.

17 (d) Campus Police. – Campus police officers have the powers contained in subsection
18 (c) of this section and also have the powers in that subsection upon that portion of any public
19 road or highway passing through or immediately adjoining the property described in that
20 subsection, wherever located. The board of trustees of any college or university that qualifies as
21 a campus police agency pursuant to this Chapter may enter into a mutual aid agreement with
22 the governing board of a municipality or, with the consent of the county sheriff, a county to the
23 same extent as a municipal police department pursuant to Chapter 160A.

24 (e) Railroad Police. – Railroad police officers have the powers contained in subsection
25 (c) and also have the powers and authority granted by federal law or by a regulation
26 promulgated by the United States Secretary of Transportation. Notwithstanding any of the
27 provisions of this Chapter, the limitations on the power to make arrests contained in subsection
28 (c) above, shall not be applicable to railroad police officers commissioned by the Attorney
29 General pursuant to the authority of this Chapter.

30 (f) Repealed by Session Laws 2005-231, s. 3, effective July 28, 2005.

31 (g) Exclusive Authority. – Notwithstanding any other provision of law, the authority
32 granted to company police officers shall be limited to the provisions of this Chapter.

33 (h) Mutual Aid Agreements. – All company police agencies that qualify pursuant to this
34 Chapter may enter into mutual aid agreements with the governing board of a municipality or,
35 with the consent of the county sheriff, a county to the same extent as a municipal police
36 department pursuant to Chapter 160A of the General Statutes.

37 (i) As-Needed Assistance. – All company police may provide assistance to a law
38 enforcement agency at the request of the head of that agency such as the sheriff or chief of
39 police regardless of whether there is an agreement in place under subsection (h) of this section."

40 **SECTION 2.** This act is effective when it becomes law.