

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2004-29
HOUSE BILL 1425**

AN ACT TO ALLOW THE BROUGHTON POLICE DEPARTMENT TO ENTER INTO MUTUAL AID AGREEMENTS WITH THE CITY OF MORGANTON POLICE DEPARTMENT AND THE BURKE COUNTY SHERIFF'S OFFICE, AND TO ALLOW THE BROUGHTON POLICE DEPARTMENT TO EXERCISE ITS POWERS AT WESTERN PIEDMONT COMMUNITY COLLEGE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The Broughton Police Department (the "joint security force" created under G.S. 122C-430) shall be considered a law enforcement agency under G.S. 160A-288(b)(2).

SECTION 1.(b) This section applies only to the City of Morganton and to Burke County.

SECTION 2.(a) G.S. 122C-430 reads as rewritten:

"§ 122C-430. Joint security force.

(a) The Secretary may designate one or more special police officers who shall make up a joint security force to enforce the law of North Carolina and any ordinance or regulation adopted pursuant to G.S. 143-116.6 or G.S. 143-116.7 or pursuant to the authority granted the Department by any other law on the territory of the Broughton Hospital, North Carolina School for the Deaf, Western Regional Vocational Rehabilitation Facility, Western Carolina Center, and the surrounding grounds and land adjacent to Broughton Hospital allocated to the Department of Agriculture and Consumer Services, all in Burke County. After taking the oath of office for law enforcement officers as set out in G.S. 11-11, these special police officers have the same powers as peace officers now vested in sheriffs within the territory embraced by the named facilities. These special police officers may arrest persons outside the territory of the named institutions but within the confines of Burke County when the person arrested has committed a criminal offense within that territory for which the officers could have arrested the person within that territory, and the arrest is made during the person's immediate and continuous flight from that territory.

(b) With the agreement of the board of trustees of Western Piedmont Community College and the Department of Health and Human Services, these special police officers may exercise any and all of the powers enumerated in this Part upon or in pursuit from the property owned or operated (or both) by the trustees of Western Piedmont Community College.

SECTION 2.(b) This section applies only in Burke County.

SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 28th day of
June, 2004.

s/ Beverly E. Perdue
President of the Senate

s/ Richard T. Morgan
Speaker of the House of Representatives