

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 670

Short Title: Expand Wildlife Prot. Auth.

(Public)

Sponsors: Senators Speed; Basnight, Conder, Daniel, Parnell, Plyler, and Sands.

Referred to: Judiciary II.

April 17, 1991

A BILL TO BE ENTITLED

AN ACT AUTHORIZING WILDLIFE PROTECTORS TO ASSIST IN THE ENFORCEMENT OF LAWS WHEN A CRIME HAS BEEN COMMITTED IN THEIR PRESENCE OR WHEN A STATE OR LOCAL LAW ENFORCEMENT OFFICER HAS REQUESTED THEIR ASSISTANCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-136 is amended by adding a new subsection to read:

"(d1) In addition to law enforcement authority granted elsewhere, a protector has the authority to enforce criminal laws under the following circumstances:

(1) When the protector has probable cause to believe that a person committed a criminal offense in his presence and at the time of the violation the protector is engaged in the enforcement of laws otherwise within his jurisdiction;

(2) When the protector is asked to provide temporary assistance by the head of a State or local law enforcement agency or his designee and the request is within the scope of the agency's subject matter jurisdiction; or

(3) When the protector is asked to provide temporary assistance by a State or local law enforcement officer who, at the time of the request, is acting within the scope of his subject matter and territorial jurisdiction.

While acting pursuant to this subsection, a protector shall have the same powers invested in law enforcement officers by statute or common law. In addition, a protector who acts pursuant to this subsection shall not be considered an officer, employee, or agent of any local law enforcement agency. Nothing in this subsection shall be

1 construed to expand the authority of protectors to initiate or conduct an independent
2 investigation into violations of criminal laws outside the scope of their subject matter or
3 territorial jurisdiction."

4 Sec. 2. This act is effective upon ratification.