

NORTH CAROLINA GENERAL ASSEMBLY  
1979 SESSION

CHAPTER 639  
HOUSE BILL 1136

AN ACT PROVIDING FOR COOPERATION BETWEEN STATE AND LOCAL LAW  
ENFORCEMENT AGENCIES IN THE EVENT OF A STRIKE BY LOCAL LAW  
ENFORCEMENT OFFICERS.

The General Assembly of North Carolina enacts:

**Section 1.** Article 13 of Chapter 160A of the General Statutes is hereby amended by adding a new section to read as follows:

"§ 160A-288.1. **Assistance by State law enforcement officers; cost.** — (a) The governing body of any city or county may request the Governor to assign temporarily State law enforcement officers with statewide authority to provide law enforcement protection when local law enforcement officers: (1) are engaged in a strike; (2) are engaged in a slowdown; (3) otherwise refuse to fulfill their law enforcement responsibilities; or (4) submit mass resignations. The request from the governing body of the city or county shall be in writing. The request from a county governing board shall be upon the advice of the sheriff of the county.

(b) The Governor shall formulate such rules, policies or guidelines as may be necessary to establish a plan under which temporary State law enforcement assistance will be provided to cities and counties. The Governor may delegate the responsibility for developing appropriate rules, policies or guidelines to the head of any State department. The Governor may also delegate to a department head the authority to determine the number of officers to be assigned in a particular case, if any, and the length of time they are to be assigned.

(c) While providing assistance to a city or county, a State law enforcement officer shall be considered an employee of the State for all purposes, including compensation and fringe benefits.

(d) While providing assistance to the city or county, a State officer shall be subject to the lawful operational commands of his State superior officers. The ranking representative of each State law enforcement agency providing assistance shall consult with the appropriate city or county officials prior to deployment of the State officers under his command."

**Sec. 2.** G.S. 153A-212 is rewritten to read as follows:

"§ 153A-212. **Cooperation on law enforcement matters.** — A county may cooperate with the State and other local governments in law enforcement matters, as permitted by G.S. 160A-283 (joint auxiliary police), by G.S. 160A-288 (emergency aid), G.S. 160A-288.1 (assistance by State law enforcement officers), and by Chapter 160A, Article 20, Part 1."

**Sec. 3.** This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 24th day of May, 1979.