

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

2

HOUSE BILL 685\*  
Committee Substitute Favorable 4/12/99

Short Title: Arrest Warrants/Copies.

(Public)

---

Sponsors:

---

Referred to:

---

March 30, 1999

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY ARREST A  
2 PERSON ON PRIVATE PREMISES OR IN A VEHICLE IN ACCORDANCE  
3 WITH STATE LAW WITH A COPY OF THE ORIGINAL ARREST WARRANT  
4 OR ORDER.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 15A-401(e) reads as rewritten:

8 "(e) Entry on Private Premises or Vehicle; Use of Force. –

9 (1) A law-enforcement officer may enter private premises or a vehicle to  
10 effect an arrest when:

11 a. The officer has in his possession a warrant or order or a copy of  
12 the warrant or order for the arrest of a ~~person~~—person, provided  
13 that an officer may utilize a copy of a warrant or order only if the  
14 original warrant or order is in the possession of a member of the  
15 officer's employing law enforcement agency; or the officer is  
16 authorized to arrest a person without a warrant or order having  
17 been issued,

18 b. The officer has reasonable cause to believe the person to be  
19 arrested is present, and

1                   c.       The officer has given, or made reasonable effort to give, notice of  
2                   his authority and purpose to an occupant thereof, unless there is  
3                   reasonable cause to believe that the giving of such notice would  
4                   present a clear danger to human life.

5           (2)       The law-enforcement officer may use force to enter the premises or  
6           vehicle if he reasonably believes that admittance is being denied or  
7           unreasonably delayed, or if he is authorized under subsection (e)(1)c to  
8           enter without giving notice of his authority and purpose."

9       Section 2. This act becomes effective October 1, 1999.