GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

HOUSE BILL 685
RATIFIED BILL

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

The General Assembly of North Carolina enacts:

        Section 1. G.S. 15A-401(e) reads as rewritten:
"(e)   Entry on Private Premises or Vehicle; Use of Force. –
        (1)   A law-enforcement officer may enter private premises or a vehicle to effect an arrest when:
               a.   The officer has in his possession a warrant or order or a copy of the warrant or order for the arrest of a person person, provided that an officer may utilize a copy of a warrant or order only if the original warrant or order is in the possession of a member of a law enforcement agency located in the county where the officer is employed and the officer verifies with the agency that the warrant is current and valid; or the officer is authorized to arrest a person without a warrant or order having been issued,
               b.   The officer has reasonable cause to believe the person to be arrested is present, and
               c.   The officer has given, or made reasonable effort to give, notice of his authority and purpose to an occupant thereof, unless there is reasonable cause to believe that the giving of such notice would present a clear danger to human life.
        (2)   The law-enforcement officer may use force to enter the premises or vehicle if he reasonably believes that admittance is being denied or unreasonably delayed, or if he is authorized under subsection (e)(1)c to enter without giving notice of his authority and purpose."
        Section 2. This act becomes effective October 1, 1999.
        In the General Assembly read three times and ratified this the 20th day of July, 1999.

                            _____

                            Dennis A. Wicker
                            President of the Senate

                            _____

                            James B. Black
                            Speaker of the House of Representatives

                            _____

                            James B. Hunt, Jr.
                            Governor

Approved _____.m. this _____ day of _____ , 19