

Plaintiffs' Opposition to the Duke University
Defendants' Motion to Dismiss

Exhibit 2:

North Carolina Session 2003, Chapter 329,
House Bill 736

LEXSEE 2003 N.C. ALS 329

NORTH CAROLINA ADVANCE LEGISLATIVE SERVICE
STATENET



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GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

NORTH CAROLINA GENERAL ASSEMBLY OF NORTH CAROLINA - SESSION OF 2003

CHAPTER 329
HOUSE BILL 736

2003 N.C. ALS 329; 2003 N.C. Sess. Laws 329; 2003 N.C. Ch. 329; 2003 N.C. HB 736

BILL TRACKING SUMMARY FOR THIS DOCUMENT

SYNOPSIS: AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A GENERAL MUNICIPAL VEHICLE TAX OF UP TO TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY AND TO AUTHORIZE THE CITY OF DURHAM TO ENTER INTO A JOINT AGREEMENT WITH A PRIVATE UNIVERSITY TO EXTEND THE JURISDICTION OF THE CAMPUS LAW ENFORCEMENT AGENCY OF THE PRIVATE UNIVERSITY INTO THE JURISDICTION OF THE CITY OF DURHAM.

NOTICE: [A> UPPERCASE TEXT WITHIN THESE SYMBOLS IS ADDED <A]
[D> Text within these symbols is deleted <D]

To view the next section, type .np* TRANSMIT.
To view a specific section, transmit p* and the section number. e.g. p*1

The General Assembly of North Carolina enacts:

[*1] SECTION 1. G.S. 20-97(b) reads as rewritten:

"(b) General Municipal Vehicle Tax. - Cities and towns may levy a tax of not more than [D> five dollars (\$ 5.00) <D] [A> TEN DOLLARS (\$ 10.00) <A] per year upon any vehicle resident in the city or town. The proceeds of the tax may be used for any lawful purpose."

[*2] SECTION 2. G.S. 116-40.5(b) reads as rewritten:

"(b) The Board of Trustees of any constituent institution of The University of North Carolina, or of any teaching hospital affiliated with but not part of any constituent institution of The University of North Carolina, [A> OR OF A

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PRIVATE UNIVERSITY, <A] having established a campus law enforcement agency pursuant to subsection (a) of this [D] section, <D] [A] SECTION OR PURSUANT TO THE CHAPTER 74E OF THE GENERAL STATUTES, <A] may enter into joint agreements with the governing board of any municipality to extend the law enforcement authority of campus police officers into any or all of the municipality's jurisdiction and to determine the circumstances in which this extension of authority may be granted. [A] WHILE ACTING IN A LAW ENFORCEMENT CAPACITY WITHIN THE MUNICIPALITY'S JURISDICTION UNDER AUTHORITY OF THIS SECTION, CAMPUS LAW ENFORCEMENT OFFICERS SHALL HAVE THE SAME POWERS, RIGHTS, PRIVILEGES, AND IMMUNITIES (INCLUDING THOSE RELATED TO THE DEFENSE OF CIVIL ACTIONS AND THE PAYMENT OF JUDGMENTS) AS THE LAW ENFORCEMENT OFFICERS OF THE MUNICIPALITY, IN ADDITION TO THOSE POWERS THE OFFICERS NORMALLY POSSESS. <A] "

[*3] SECTION 3. This act applies to the City of Durham only. Any funds generated by a tax of over five dollars (\$ 5.00) under Section 1 of this act shall be placed into a separate fund for public transportation within the City of Durham and the principal shall not be spent. The interest earned on those funds may be expended by the City of Durham solely for the purpose of public transportation.

[*4] SECTION 4. Section 1 of this act is effective when it becomes law and expires one year after that date. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 18th day of July, 2003.

HISTORY:

Ratified July 18, 2003.

SPONSOR: Miller