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A bill to be entitled

An act relating to electrical and alarm system contracting; amending s. 489.517, F.S.; requiring certificateholders and registrants to have continuing education in preventing false alarms; amending s. 489.518, F.S.; revising qualifications for burglar alarm system agents; requiring an additional criminal background check; requiring submission of fingerprints for state and federal processing; removing an exemption from training requirements for persons who only perform sales; authorizing employment as an alarm system agent or burglar alarm system agent under supervision for a specified period, pending completion of training and the criminal background check; providing the format, the validity period, and renewal requirements for burglar alarm system agent identification cards; requiring an updated criminal background check of each burglar alarm system agent who renews certification; providing continuing education requirements for burglar alarm system agents; amending s. 489.5185, F.S.; revising qualifications for fire alarm system agents; requiring an additional criminal background check; requiring submission of fingerprints for state and federal processing; requiring an updated criminal background check of each fire alarm system agent who renews certification; requiring fire alarm system agents to have continuing education in preventing false alarms; amending s. 489.529, F.S.; requiring a second alarm-verification call if the first call is unanswered; providing an effective date.

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31 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraph (b) of subsection (4) of section 489.517, Florida Statutes, is amended to read:

489.517 Renewal of certificate or registration; continuing education.--

(4)

(b) Of the 14 classroom hours of continuing education required, at least 7 hours must be on technical subjects, 1 hour on workers' compensation, 1 hour on workplace safety, ~~and 1 hour on business practices,~~ and for alarm system contractors and electrical contractors engaged in alarm system contracting, 2 hours on false alarm prevention.

Section 2. Section 489.518, Florida Statutes, is amended to read:

489.518 Alarm system agents.--

(1) A licensed electrical or alarm system contractor may not employ a person to perform the duties of a burglar alarm system agent unless the person:

(a) Is at least 18 years of age or has evidence of a court-approved declaration of emancipation.

(b) Has successfully completed a minimum of 14 ~~12~~ hours of training, to include basic alarm system electronics in addition to related training including CCTV and access control training, with at least 2 hours of training in the prevention of false alarms. Such training shall be from a board-approved provider, and the employee or applicant for employment shall provide proof of successful completion to the licensed employer. The board shall by rule establish criteria for the approval of training courses and providers and may by rule establish criteria for

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61 accepting alternative nonclassroom education on an hour-for-hour
62 basis. The board shall approve providers that conduct training
63 in other than the English language. The board shall establish a
64 fee for the approval of training providers or courses, not to
65 exceed \$60. Qualified employers may conduct training classes for
66 their employees, with board approval.

67 (c) Has not been convicted within the last 3 years of a
68 crime that directly relates to the business for which employment
69 is being sought. Although the employee is barred from operating
70 as an alarm system agent for 3 years subsequent to his or her
71 conviction, the employer shall be supplied the information
72 regarding any convictions occurring prior to that time, and the
73 employer may at his or her discretion consider an earlier
74 conviction to be a bar to employment as an alarm system agent.
75 To ensure that this requirement has been met, a licensed
76 electrical or alarm contractor must obtain from the ~~Florida~~
77 Department of Law Enforcement a completed fingerprint and
78 criminal background check, including a check through the
79 National Crime Information Center. Each individual subject to
80 the criminal background check shall file a complete set of
81 fingerprints with the Department of Law Enforcement for state
82 processing and with the Federal Bureau of Investigation for
83 federal processing ~~for each applicant for employment as a~~
84 ~~burglar alarm system agent or for each individual currently~~
85 ~~employed on the effective date of this act as a burglar alarm~~
86 ~~system agent.~~

87 (d) Has not been committed for controlled substance abuse
88 or been found guilty of a crime under chapter 893 or a similar
89 law relating to controlled substances in any other state within
90 the 3-year period immediately preceding the date of application

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91 for employment, or the effective date of this act for an
 92 individual employed as a burglar alarm system agent on that
 93 date, unless he or she establishes that he or she is not
 94 currently abusing any controlled substance and has successfully
 95 completed a rehabilitation course.

96 (2)(a) Persons who perform only monitoring ~~or sales~~ are
 97 not required to complete the training required for burglar alarm
 98 system agents.

99 (b) Persons who perform only monitoring at an out-of-state
 100 location are not required to comply with background check
 101 requirements.

102 (c) Persons who perform proprietary burglar alarm system
 103 agent duties for only a single employer, and who do not offer
 104 alarm system contracting services to the public, are not
 105 required to comply with background check requirements.

106 (d) A state-certified electrical contractor, a state-
 107 certified alarm system contractor, a state-registered alarm
 108 system contractor, a journeyman electrician licensed by any
 109 local jurisdiction, or an alarm technician licensed by a local
 110 jurisdiction that requires an examination and experience or
 111 training as licensure qualifications, is not required to
 112 complete the training required for burglar alarm system agents.
 113 A state-registered electrical contractor is not required to
 114 complete the training required for burglar alarm system agents,
 115 so long as he or she is only doing electrical work up to the
 116 alarm panel.

117 (e) A nonsupervising employee working as a helper or
 118 apprentice under the direct, on-site, continuous supervision of
 119 a state-certified electrical contractor, a state-registered
 120 electrical contractor, a state-certified alarm system

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121 contractor, a state-registered alarm system contractor, a
 122 journeyman electrician licensed by any local jurisdiction, an
 123 alarm technician licensed by a local jurisdiction that requires
 124 an examination and experience or training as licensure
 125 qualifications, or a qualified alarm system agent is not
 126 required to complete the training otherwise required and is not
 127 required to be 18 years of age or older.

128 (3) An applicant for employment as an alarm system agent,
 129 or an individual employed as a burglar alarm system agent on the
 130 effective date of this act, may commence or continue employment
 131 pending the completion of the required training and the results
 132 of the background check required by this section for a period
 133 not to exceed 90 ~~60~~ days after the date of application for
 134 employment, or 90 ~~60~~ days after the effective date of this act
 135 for individuals currently employed as burglar alarm system
 136 agents. However, the person must work under the direction and
 137 control of a sponsoring licensed electrical or burglar alarm
 138 system contractor pending the completion of the training and the
 139 criminal background check. If an applicant or an individual
 140 employed on the effective date of this act does not complete the
 141 training or receive a satisfactory criminal background check
 142 within the 90-day ~~60-day~~ period, the employment must be
 143 terminated immediately.

144 (4)(a) A licensed electrical or alarm system contractor
 145 shall furnish each of its burglar alarm system agents with an
 146 identification card.

147 (b) The identification card shall be designed in a board-
 148 approved format. The card must ~~shall~~ include a picture of the
 149 agent, must ~~and shall~~ specify at least the name of the holder of
 150 the card and the name and license number of the contractor, and

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151 must ~~shall~~ be signed by the contractor and by the holder of the
 152 card. Each identification card is valid for a period of 2 years
 153 after the date of issuance. The identification card must ~~shall~~
 154 be in the possession of each burglar alarm system agent while
 155 engaged in burglar alarm system agent duties.

156 ~~(c)(b)~~ Each person to whom an identification card has been
 157 issued shall be responsible for the safekeeping thereof and
 158 shall not loan, or allow any other person to use or display, the
 159 identification card.

160 (d) Each identification card must be renewed every 2 years
 161 and in a board-approved format to show compliance with the 6
 162 hours of continuing education necessary to maintain
 163 certification as a burglar alarm system agent.

164 (e) Each licensed electrical or alarm system contractor
 165 must obtain an updated criminal background check from the
 166 Department of Law Enforcement for each burglar alarm system
 167 agent who renews certification.

168 (5) Each burglar alarm system agent must receive 6 hours
 169 of continuing education on burglar alarm system installation and
 170 repair and false alarm prevention every 2 years from a board-
 171 approved sponsor of training and through a board-approved
 172 training course.

173 ~~(6)(5)~~ Failure to comply with any of the provisions of
 174 this section shall be a disciplinable offense against the
 175 contractor pursuant to s. 489.533.

176 Section 3. Section 489.5185, Florida Statutes, is amended
 177 to read:

178 489.5185 Fire alarm system agents.--

179 (1) A certified unlimited electrical contractor or
 180 licensed fire alarm contractor may not employ a person to

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181 perform the duties of a fire alarm system agent unless the
 182 person:

183 (a) Is at least 18 years of age or has evidence of a
 184 court-approved declaration of emancipation.

185 (b) Has successfully completed a minimum of 14 ~~18~~ hours of
 186 initial training, to include basic fire alarm system technology
 187 in addition to related training in National Fire Protection
 188 Association (NFPA) codes and standards and access control
 189 training, with at least 2 hours of training in the prevention of
 190 false alarms. Such training must be from a board-approved
 191 provider, and the employee or applicant for employment must
 192 provide proof of successful completion to the licensed employer.
 193 The board, by rule, shall establish criteria for the approval of
 194 training courses and providers. The board shall approve
 195 qualified providers that conduct training in other than the
 196 English language. The board shall establish a fee for the
 197 approval of training providers, not to exceed \$200, and a fee
 198 for the approval of courses at \$25 per credit hour, not to
 199 exceed \$100 per course.

200 (c) Has not been convicted within the last 3 years of a
 201 crime that directly relates to the business for which employment
 202 is being sought. Although the employee is barred from operating
 203 as a fire alarm system agent for 3 years subsequent to his or
 204 her conviction, the employer shall be supplied the information
 205 regarding any convictions occurring prior to that time, and the
 206 employer may at his or her discretion consider an earlier
 207 conviction to be a bar to employment as a fire alarm system
 208 agent. To ensure that this requirement has been met, a certified
 209 unlimited electrical contractor or licensed fire alarm
 210 contractor must obtain from the ~~Florida~~ Department of Law

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211 Enforcement a completed fingerprint and criminal background
 212 check, including a check through the National Crime Information
 213 Center. Each individual subject to the criminal background check
 214 shall file a complete set of fingerprints with the Department of
 215 Law Enforcement for state processing and with the Federal Bureau
 216 of Investigation for federal processing ~~for each applicant for~~
 217 ~~employment as a fire alarm system agent or for each individual~~
 218 ~~currently employed on the effective date of this act as a fire~~
 219 ~~alarm system agent.~~

220 (d) Has not been committed for controlled substance abuse
 221 or been found guilty of a crime under chapter 893 or any similar
 222 law relating to controlled substances in any other state within
 223 the 3-year period immediately preceding the date of application
 224 for employment, or immediately preceding the effective date of
 225 this act for an individual employed as a fire alarm system agent
 226 on that date, unless the person establishes that he or she is
 227 not currently abusing any controlled substance and has
 228 successfully completed a rehabilitation course.

229 (2)(a) Any applicant for employment as a fire alarm system
 230 agent, or any individual employed as a fire alarm system agent
 231 on the effective date of this act, who has completed alarm
 232 system agent or burglar alarm system agent training prior to the
 233 effective date of this act in a board-certified program is not
 234 required to take additional training in order to comply with the
 235 initial training requirements of this section.

236 (b) A state-certified electrical contractor, a state-
 237 certified fire alarm system contractor, a state-registered fire
 238 alarm system contractor, a journeyman electrician licensed by
 239 any local jurisdiction, or an alarm technician licensed by a
 240 local jurisdiction that requires an examination and experience

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241 or training as licensure qualifications is not required to
 242 complete the training required for fire alarm system agents. A
 243 state-registered electrical contractor is not required to
 244 complete the training required for fire alarm system agents, so
 245 long as he or she is only doing electrical work up to the alarm
 246 panel.

247 (c) A nonsupervising employee working as a helper or
 248 apprentice under the direct, onsite, continuous supervision of a
 249 state-certified electrical contractor, a state-registered
 250 electrical contractor, a state-certified fire alarm system
 251 contractor, a state-registered fire alarm system contractor, a
 252 journeyman electrician licensed by any local jurisdiction, an
 253 alarm technician licensed by a local jurisdiction that requires
 254 an examination and experience or training as licensure
 255 qualifications, or a qualified fire alarm system agent is not
 256 required to complete the training otherwise required and is not
 257 required to be 18 years of age or older.

258 (d) A burglar alarm system agent employed by a licensed
 259 fire alarm contractor or certified unlimited electrical
 260 contractor who has fulfilled all requirements of s. 489.518
 261 prior to the effective date of this act is not required to
 262 complete the initial training required by this section for fire
 263 alarm system agents.

264 (e) Persons who perform only monitoring are not required
 265 to complete the training required for fire alarm system agents.

266 (3) An applicant for employment as a fire alarm system
 267 agent may commence employment, or an individual employed as a
 268 fire alarm system agent on the effective date of this act may
 269 continue employment, pending completion of both the training and
 270 the fingerprint and criminal background checks required by this

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271 section, for a period not to exceed 90 days after the date of
 272 application for employment or 90 days after the effective date
 273 of this act for individuals employed as fire alarm system agents
 274 on that date. However, the person must work under the direction
 275 and control of a sponsoring certified unlimited electrical
 276 contractor or licensed fire alarm contractor until completion of
 277 both the training and the fingerprint and criminal background
 278 checks. If an applicant or an individual employed on the
 279 effective date of this act does not complete the training or
 280 receive satisfactory fingerprint and criminal background checks
 281 within the 90-day period, the employment must be terminated
 282 immediately.

283 (4)(a) A certified unlimited electrical contractor or
 284 licensed fire alarm contractor must furnish each of his or her
 285 fire alarm system agents with an identification card.

286 (b) The card shall follow a board-approved format, to
 287 include a picture of the agent; shall specify at least the name
 288 of the holder of the card and the name and license number of the
 289 certified unlimited electrical contractor or licensed fire alarm
 290 contractor; and shall be signed by both the contractor and the
 291 holder of the card. Each identification card shall be valid for
 292 a period of 2 years after the date of issuance. The
 293 identification card must be in the possession of the fire alarm
 294 system agent while engaged in fire alarm system agent duties.

295 (c) Each person to whom an identification card has been
 296 issued is responsible for the safekeeping thereof, and may not
 297 loan, or allow any other person to use or display, the
 298 identification card.

299 (d) Each identification card must be renewed every 2 years
 300 and in a board-approved format to show compliance with the 6

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301 hours of continuing education necessary to maintain
 302 certification as a fire alarm system agent.

303 (e) Each licensed electrical or alarm system contractor
 304 must obtain an updated criminal background check from the
 305 Department of Law Enforcement for each fire alarm system agent
 306 who renews certification.

307 (5) Each fire alarm system agent must receive 6 hours of
 308 continuing education on fire alarm system installation and
 309 repair and false alarm prevention every 2 years from a board-
 310 approved sponsor of training and through a board-approved
 311 training course.

312 (6) Failure to comply with any of the provisions of this
 313 section shall be grounds for disciplinary action against the
 314 contractor pursuant to s. 489.533.

315 Section 4. Section 489.529, Florida Statutes, is amended
 316 to read:

317 489.529 Alarm verification calls required.--All
 318 residential or commercial intrusion/burglary alarms that have
 319 central monitoring must have a central monitoring verification
 320 call made to the premises generating the alarm signal, prior to
 321 alarm monitor personnel contacting a law enforcement agency for
 322 alarm dispatch. The central monitoring station must be designed
 323 to make a second call to the premises generating the alarm
 324 signal if the first call is not answered. However, if the
 325 intrusion/burglary alarms have properly operating visual or
 326 auditory sensors that enable the monitoring personnel to verify
 327 the alarm signal, verification calling is not required.

328 Section 5. This act shall take effect July 1, 2004.