

CHAMBER ACTION

1 The Committee on Business Regulation recommends the following:

2  
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to electrical and alarm system  
7 contracting; amending s. 489.517, F.S.; requiring  
8 certificateholders and registrants to have continuing  
9 education in preventing false alarms; amending s. 489.518,  
10 F.S.; revising qualifications for burglar alarm system  
11 agents; removing an exemption from training requirements  
12 for persons who only perform sales; authorizing employment  
13 as an alarm system agent or burglar alarm system agent  
14 under supervision for a specified period, pending  
15 completion of training and the criminal background check;  
16 providing the format, the validity period, and renewal  
17 requirements for burglar alarm system agent identification  
18 cards; requiring an updated criminal background check of  
19 each burglar alarm system agent who renews certification;  
20 providing continuing education requirements for burglar  
21 alarm system agents; amending s. 489.5185, F.S.; revising  
22 qualifications for fire alarm system agents; requiring an  
23 updated criminal background check of each fire alarm

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24 | system agent who renews certification; requiring fire  
 25 | alarm system agents to have continuing education in  
 26 | preventing false alarms; amending s. 489.529, F.S.;  
 27 | requiring a second alarm-verification call if the first  
 28 | call is unanswered; providing an effective date.

29

30 | Be It Enacted by the Legislature of the State of Florida:

31

32 | Section 1. Paragraph (b) of subsection (4) of section  
 33 | 489.517, Florida Statutes, is amended to read:

34 | 489.517 Renewal of certificate or registration; continuing  
 35 | education.--

36 | (4)

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

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

45 | 489.518 Alarm system agents.--

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

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

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51 (b) Has successfully completed a minimum of 14 ~~12~~ hours of  
52 training, to include basic alarm system electronics in addition  
53 to related training including CCTV and access control training,  
54 with at least 2 hours of training in the prevention of false  
55 alarms. Such training shall be from a board-approved provider,  
56 and the employee or applicant for employment shall provide proof  
57 of successful completion to the licensed employer. The board  
58 shall by rule establish criteria for the approval of training  
59 courses and providers and may by rule establish criteria for  
60 accepting alternative nonclassroom education on an hour-for-hour  
61 basis. The board shall approve providers that conduct training  
62 in other than the English language. The board shall establish a  
63 fee for the approval of training providers or courses, not to  
64 exceed \$60. Qualified employers may conduct training classes for  
65 their employees, with board approval.

66 (c) Has not been convicted within the last 3 years of a  
67 crime that directly relates to the business for which employment  
68 is being sought. Although the employee is barred from operating  
69 as an alarm system agent for 3 years subsequent to his or her  
70 conviction, the employer shall be supplied the information  
71 regarding any convictions occurring prior to that time, and the  
72 employer may at his or her discretion consider an earlier  
73 conviction to be a bar to employment as an alarm system agent.  
74 To ensure that this requirement has been met, a licensed  
75 electrical or alarm contractor must obtain from the Florida  
76 Department of Law Enforcement a completed fingerprint and  
77 criminal background check for each applicant for employment as a  
78 burglar alarm system agent or for each individual currently

79 | employed on the effective date of this act as a burglar alarm  
80 | system agent.

81 |       (d) Has not been committed for controlled substance abuse  
82 | or been found guilty of a crime under chapter 893 or a similar  
83 | law relating to controlled substances in any other state within  
84 | the 3-year period immediately preceding the date of application  
85 | for employment, or the effective date of this act for an  
86 | individual employed as a burglar alarm system agent on that  
87 | date, unless he or she establishes that he or she is not  
88 | currently abusing any controlled substance and has successfully  
89 | completed a rehabilitation course.

90 |       (2)(a) Persons who perform only monitoring ~~or sales~~ are  
91 | not required to complete the training required for burglar alarm  
92 | system agents.

93 |       (b) Persons who perform only monitoring at an out-of-state  
94 | location are not required to comply with background check  
95 | requirements.

96 |       (c) Persons who perform proprietary burglar alarm system  
97 | agent duties for only a single employer, and who do not offer  
98 | alarm system contracting services to the public, are not  
99 | required to comply with background check requirements.

100 |       (d) A state-certified electrical contractor, a state-  
101 | certified alarm system contractor, a state-registered alarm  
102 | system contractor, a journeyman electrician licensed by any  
103 | local jurisdiction, or an alarm technician licensed by a local  
104 | jurisdiction that requires an examination and experience or  
105 | training as licensure qualifications, is not required to  
106 | complete the training required for burglar alarm system agents.

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107 | A state-registered electrical contractor is not required to  
 108 | complete the training required for burglar alarm system agents,  
 109 | so long as he or she is only doing electrical work up to the  
 110 | alarm panel.

111 |       (e) A nonsupervising employee working as a helper or  
 112 | apprentice under the direct, on-site, continuous supervision of  
 113 | a state-certified electrical contractor, a state-registered  
 114 | electrical contractor, a state-certified alarm system  
 115 | contractor, a state-registered alarm system contractor, a  
 116 | journeyman electrician licensed by any local jurisdiction, an  
 117 | alarm technician licensed by a local jurisdiction that requires  
 118 | an examination and experience or training as licensure  
 119 | qualifications, or a qualified alarm system agent is not  
 120 | required to complete the training otherwise required and is not  
 121 | required to be 18 years of age or older.

122 |       (3) An applicant for employment as an alarm system agent,  
 123 | or an individual employed as a burglar alarm system agent on the  
 124 | effective date of this act, may commence or continue employment  
 125 | pending the completion of the required training and the results  
 126 | of the background check required by this section for a period  
 127 | not to exceed 90 ~~60~~ days after the date of application for  
 128 | employment, or 90 ~~60~~ days after the effective date of this act  
 129 | for individuals currently employed as burglar alarm system  
 130 | agents. However, the person must work under the direction and  
 131 | control of a sponsoring licensed electrical or burglar alarm  
 132 | system contractor pending the completion of the training and the  
 133 | criminal background check. If an applicant or an individual  
 134 | employed on the effective date of this act does not complete the

135 training or receive a satisfactory criminal background check  
 136 within the 90-day ~~60-day~~ period, the employment must be  
 137 terminated immediately.

138 (4)(a) A licensed electrical or alarm system contractor  
 139 shall furnish each of its burglar alarm system agents with an  
 140 identification card.

141 (b) The identification card shall be designed in a board-  
 142 approved format. The card must ~~shall~~ include a picture of the  
 143 agent, must ~~and shall~~ specify at least the name of the holder of  
 144 the card and the name and license number of the contractor, and  
 145 must ~~shall~~ be signed by the contractor and by the holder of the  
 146 card. Each identification card is valid for a period of 2 years  
 147 after the date of issuance. The identification card must ~~shall~~  
 148 be in the possession of each burglar alarm system agent while  
 149 engaged in burglar alarm system agent duties.

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

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

158 (e) Each licensed electrical or alarm system contractor  
 159 must obtain an updated criminal background check from the  
 160 Department of Law Enforcement for each burglar alarm system  
 161 agent who renews certification.

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162           (5) Each burglar alarm system agent must receive 6 hours  
 163 of continuing education on burglar alarm system installation and  
 164 repair and false alarm prevention every 2 years from a board-  
 165 approved sponsor of training and through a board-approved  
 166 training course.

167           ~~(6)(5)~~ Failure to comply with any of the provisions of  
 168 this section shall be a disciplinable offense against the  
 169 contractor pursuant to s. 489.533.

170           Section 3. Section 489.5185, Florida Statutes, is amended  
 171 to read:

172           489.5185 Fire alarm system agents.--

173           (1) A certified unlimited electrical contractor or  
 174 licensed fire alarm contractor may not employ a person to  
 175 perform the duties of a fire alarm system agent unless the  
 176 person:

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

179           (b) Has successfully completed a minimum of 14 ~~18~~ hours of  
 180 initial training, to include basic fire alarm system technology  
 181 in addition to related training in National Fire Protection  
 182 Association (NFPA) codes and standards and access control  
 183 training, with at least 2 hours of training in the prevention of  
 184 false alarms. Such training must be from a board-approved  
 185 provider, and the employee or applicant for employment must  
 186 provide proof of successful completion to the licensed employer.  
 187 The board, by rule, shall establish criteria for the approval of  
 188 training courses and providers. The board shall approve  
 189 qualified providers that conduct training in other than the

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190 English language. The board shall establish a fee for the  
191 approval of training providers, not to exceed \$200, and a fee  
192 for the approval of courses at \$25 per credit hour, not to  
193 exceed \$100 per course.

194 (c) Has not been convicted within the last 3 years of a  
195 crime that directly relates to the business for which employment  
196 is being sought. Although the employee is barred from operating  
197 as a fire alarm system agent for 3 years subsequent to his or  
198 her conviction, the employer shall be supplied the information  
199 regarding any convictions occurring prior to that time, and the  
200 employer may at his or her discretion consider an earlier  
201 conviction to be a bar to employment as a fire alarm system  
202 agent. To ensure that this requirement has been met, a certified  
203 unlimited electrical contractor or licensed fire alarm  
204 contractor must obtain from the Florida Department of Law  
205 Enforcement a completed fingerprint and criminal background  
206 check for each applicant for employment as a fire alarm system  
207 agent or for each individual currently employed on the effective  
208 date of this act as a fire alarm system agent.

209 (d) Has not been committed for controlled substance abuse  
210 or been found guilty of a crime under chapter 893 or any similar  
211 law relating to controlled substances in any other state within  
212 the 3-year period immediately preceding the date of application  
213 for employment, or immediately preceding the effective date of  
214 this act for an individual employed as a fire alarm system agent  
215 on that date, unless the person establishes that he or she is  
216 not currently abusing any controlled substance and has  
217 successfully completed a rehabilitation course.



218 (2)(a) Any applicant for employment as a fire alarm system  
 219 agent, or any individual employed as a fire alarm system agent  
 220 on the effective date of this act, who has completed alarm  
 221 system agent or burglar alarm system agent training prior to the  
 222 effective date of this act in a board-certified program is not  
 223 required to take additional training in order to comply with the  
 224 initial training requirements of this section.

225 (b) A state-certified electrical contractor, a state-  
 226 certified fire alarm system contractor, a state-registered fire  
 227 alarm system contractor, a journeyman electrician licensed by  
 228 any local jurisdiction, or an alarm technician licensed by a  
 229 local jurisdiction that requires an examination and experience  
 230 or training as licensure qualifications is not required to  
 231 complete the training required for fire alarm system agents. A  
 232 state-registered electrical contractor is not required to  
 233 complete the training required for fire alarm system agents, so  
 234 long as he or she is only doing electrical work up to the alarm  
 235 panel.

236 (c) A nonsupervising employee working as a helper or  
 237 apprentice under the direct, onsite, continuous supervision of a  
 238 state-certified electrical contractor, a state-registered  
 239 electrical contractor, a state-certified fire alarm system  
 240 contractor, a state-registered fire alarm system contractor, a  
 241 journeyman electrician licensed by any local jurisdiction, an  
 242 alarm technician licensed by a local jurisdiction that requires  
 243 an examination and experience or training as licensure  
 244 qualifications, or a qualified fire alarm system agent is not

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245 required to complete the training otherwise required and is not  
246 required to be 18 years of age or older.

247 (d) A burglar alarm system agent employed by a licensed  
248 fire alarm contractor or certified unlimited electrical  
249 contractor who has fulfilled all requirements of s. 489.518  
250 prior to the effective date of this act is not required to  
251 complete the initial training required by this section for fire  
252 alarm system agents.

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

255 (3) An applicant for employment as a fire alarm system  
256 agent may commence employment, or an individual employed as a  
257 fire alarm system agent on the effective date of this act may  
258 continue employment, pending completion of both the training and  
259 the fingerprint and criminal background checks required by this  
260 section, for a period not to exceed 90 days after the date of  
261 application for employment or 90 days after the effective date  
262 of this act for individuals employed as fire alarm system agents  
263 on that date. However, the person must work under the direction  
264 and control of a sponsoring certified unlimited electrical  
265 contractor or licensed fire alarm contractor until completion of  
266 both the training and the fingerprint and criminal background  
267 checks. If an applicant or an individual employed on the  
268 effective date of this act does not complete the training or  
269 receive satisfactory fingerprint and criminal background checks  
270 within the 90-day period, the employment must be terminated  
271 immediately.

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

275 (b) The card shall follow a board-approved format, to  
 276 include a picture of the agent; shall specify at least the name  
 277 of the holder of the card and the name and license number of the  
 278 certified unlimited electrical contractor or licensed fire alarm  
 279 contractor; and shall be signed by both the contractor and the  
 280 holder of the card. Each identification card shall be valid for  
 281 a period of 2 years after the date of issuance. The  
 282 identification card must be in the possession of the fire alarm  
 283 system agent while engaged in fire alarm system agent duties.

284 (c) Each person to whom an identification card has been  
 285 issued is responsible for the safekeeping thereof, and may not  
 286 loan, or allow any other person to use or display, the  
 287 identification card.

288 (d) Each identification card must be renewed every 2 years  
 289 and in a board-approved format to show compliance with the 6  
 290 hours of continuing education necessary to maintain  
 291 certification as a fire alarm system agent.

292 (e) Each licensed electrical or alarm system contractor  
 293 must obtain an updated criminal background check from the  
 294 Department of Law Enforcement for each fire alarm system agent  
 295 who renews certification.

296 (5) Each fire alarm system agent must receive 6 hours of  
 297 continuing education on fire alarm system installation and  
 298 repair and false alarm prevention every 2 years from a board-

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299 approved sponsor of training and through a board-approved  
300 training course.

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

304 Section 4. Section 489.529, Florida Statutes, is amended  
305 to read:

306 489.529 Alarm verification calls required.--All  
307 residential or commercial intrusion/burglary alarms that have  
308 central monitoring must have a central monitoring verification  
309 call made to the premises generating the alarm signal, prior to  
310 alarm monitor personnel contacting a law enforcement agency for  
311 alarm dispatch. The central monitoring station must be designed  
312 to make a second call to the premises generating the alarm  
313 signal if the first call is not answered. However, if the  
314 intrusion/burglary alarms have properly operating visual or  
315 auditory sensors that enable the monitoring personnel to verify  
316 the alarm signal, verification calling is not required.

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