

CHAMBER ACTION

1 The Committee on Appropriations 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

24 | system agent who renews certification; requiring fire  
 25 | alarm system agents to have continuing education in  
 26 | preventing false alarms; providing an effective date.

27 |  
 28 | Be It Enacted by the Legislature of the State of Florida:

29 |  
 30 | Section 1. Paragraph (b) of subsection (4) of section  
 31 | 489.517, Florida Statutes, is amended to read:

32 | 489.517 Renewal of certificate or registration; continuing  
 33 | education.--

34 | (4)

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

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

43 | 489.518 Alarm system agents.--

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

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

49 | (b) Has successfully completed a minimum of 14 ~~12~~ hours of  
 50 | training, to include basic alarm system electronics in addition  
 51 | to related training including CCTV and access control training,

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52 | with at least 2 hours of training in the prevention of false  
53 | alarms. Such training shall be from a board-approved provider,  
54 | and the employee or applicant for employment shall provide proof  
55 | of successful completion to the licensed employer. The board  
56 | shall by rule establish criteria for the approval of training  
57 | courses and providers and may by rule establish criteria for  
58 | accepting alternative nonclassroom education on an hour-for-hour  
59 | basis. The board shall approve providers that conduct training  
60 | in other than the English language. The board shall establish a  
61 | fee for the approval of training providers or courses, not to  
62 | exceed \$60. Qualified employers may conduct training classes for  
63 | their employees, with board approval.

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

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

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

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

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

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

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107 | so long as he or she is only doing electrical work up to the  
108 | alarm panel.

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

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

134 within the 90-day ~~60-day~~ period, the employment must be  
135 terminated immediately.

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

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

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

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

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

160 (5) Each burglar alarm system agent must receive 6 hours  
161 of continuing education on burglar alarm system installation and

162 | repair and false alarm prevention every 2 years from a board-  
 163 | approved sponsor of training and through a board-approved  
 164 | training course.

165 |       ~~(6)~~(5) Failure to comply with any of the provisions of  
 166 | this section shall be a disciplinable offense against the  
 167 | contractor pursuant to s. 489.533.

168 |       Section 3. Section 489.5185, Florida Statutes, is amended  
 169 | to read:

170 |       489.5185 Fire alarm system agents.--

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

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

177 |       (b) Has successfully completed a minimum of 14 ~~18~~ hours of  
 178 | initial training, to include basic fire alarm system technology  
 179 | in addition to related training in National Fire Protection  
 180 | Association (NFPA) codes and standards and access control  
 181 | training, with at least 2 hours of training in the prevention of  
 182 | false alarms. Such training must be from a board-approved  
 183 | provider, and the employee or applicant for employment must  
 184 | provide proof of successful completion to the licensed employer.  
 185 | The board, by rule, shall establish criteria for the approval of  
 186 | training courses and providers. The board shall approve  
 187 | qualified providers that conduct training in other than the  
 188 | English language. The board shall establish a fee for the  
 189 | approval of training providers, not to exceed \$200, and a fee

190 for the approval of courses at \$25 per credit hour, not to  
191 exceed \$100 per course.

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

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

216 (2)(a) Any applicant for employment as a fire alarm system  
217 agent, or any individual employed as a fire alarm system agent



218 on the effective date of this act, who has completed alarm  
 219 system agent or burglar alarm system agent training prior to the  
 220 effective date of this act in a board-certified program is not  
 221 required to take additional training in order to comply with the  
 222 initial training requirements of this section.

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

234 (c) A nonsupervising employee working as a helper or  
 235 apprentice under the direct, onsite, continuous supervision of a  
 236 state-certified electrical contractor, a state-registered  
 237 electrical contractor, a state-certified fire alarm system  
 238 contractor, a state-registered fire alarm system contractor, a  
 239 journeyman electrician licensed by any local jurisdiction, an  
 240 alarm technician licensed by a local jurisdiction that requires  
 241 an examination and experience or training as licensure  
 242 qualifications, or a qualified fire alarm system agent is not  
 243 required to complete the training otherwise required and is not  
 244 required to be 18 years of age or older.

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

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

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

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

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

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

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

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

294 (5) Each fire alarm system agent must receive 6 hours of  
295 continuing education on fire alarm system installation and  
296 repair and false alarm prevention every 2 years from a board-  
297 approved sponsor of training and through a board-approved  
298 training course.

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

302 |           Section 4. This act shall take effect July 1, 2004.