

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

23  
24   Be It Enacted by the Legislature of the State of Florida:

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26           Section 1. Paragraph (b) of subsection (4) of section  
27   489.517, Florida Statutes, is amended to read:

28 | 489.517 Renewal of certificate or registration; continuing  
 29 | education.--

30 | (4)

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

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

39 | 489.518 Alarm system agents.--

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

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

45 | (b) Has successfully completed a minimum of 14 ~~12~~ hours of  
 46 | training, to include basic alarm system electronics in addition  
 47 | to related training including CCTV and access control training,  
 48 | with at least 2 hours of training in the prevention of false  
 49 | alarms. Such training shall be from a board-approved provider,  
 50 | and the employee or applicant for employment shall provide proof  
 51 | of successful completion to the licensed employer. The board  
 52 | shall by rule establish criteria for the approval of training  
 53 | courses and providers and may by rule establish criteria for  
 54 | accepting alternative nonclassroom education on an hour-for-hour  
 55 | basis. The board shall approve providers that conduct training

56 | in other than the English language. The board shall establish a  
57 | fee for the approval of training providers or courses, not to  
58 | exceed \$60. Qualified employers may conduct training classes for  
59 | their employees, with board approval.

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

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

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

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

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

94 (d) A state-certified electrical contractor, a state-  
95 certified alarm system contractor, a state-registered alarm  
96 system contractor, a journeyman electrician licensed by any  
97 local jurisdiction, or an alarm technician licensed by a local  
98 jurisdiction that requires an examination and experience or  
99 training as licensure qualifications, is not required to  
100 complete the training required for burglar alarm system agents.  
101 A state-registered electrical contractor is not required to  
102 complete the training required for burglar alarm system agents,  
103 so long as he or she is only doing electrical work up to the  
104 alarm panel.

105 (e) A nonsupervising employee working as a helper or  
106 apprentice under the direct, on-site, continuous supervision of  
107 a state-certified electrical contractor, a state-registered  
108 electrical contractor, a state-certified alarm system  
109 contractor, a state-registered alarm system contractor, a  
110 journeyman electrician licensed by any local jurisdiction, an  
111 alarm technician licensed by a local jurisdiction that requires

112 an examination and experience or training as licensure  
113 qualifications, or a qualified alarm system agent is not  
114 required to complete the training otherwise required and is not  
115 required to be 18 years of age or older.

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

132 (4)(a) A licensed electrical or alarm system contractor  
133 shall furnish each of its burglar alarm system agents with an  
134 identification card.

135 (b) The identification card shall be designed in a board-  
136 approved format. The card must ~~shall~~ include a picture of the  
137 agent, must ~~and shall~~ specify at least the name of the holder of  
138 the card and the name and license number of the contractor, and  
139 must ~~shall~~ be signed by the contractor and by the holder of the

140 | card. Each identification card is valid for a period of 2 years  
141 | after the date of issuance. The identification card must ~~shall~~  
142 | be in the possession of each burglar alarm system agent while  
143 | engaged in burglar alarm system agent duties.

144 |       ~~(c)(b)~~ Each person to whom an identification card has been  
145 | issued shall be responsible for the safekeeping thereof and  
146 | shall not loan, or allow any other person to use or display, the  
147 | identification card.

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

152 |       (e) Each licensed electrical or alarm system contractor  
153 | must obtain an updated criminal background check from the  
154 | Department of Law Enforcement for each burglar alarm system  
155 | agent who renews certification.

156 |       (5) Each burglar alarm system agent must receive 6 hours  
157 | of continuing education on burglar alarm system installation and  
158 | repair and false alarm prevention every 2 years from a board-  
159 | approved sponsor of training and through a board-approved  
160 | training course.

161 |       ~~(6)(5)~~ Failure to comply with any of the provisions of  
162 | this section shall be a disciplinable offense against the  
163 | contractor pursuant to s. 489.533.

164 |       Section 3. Section 489.5185, Florida Statutes, is amended  
165 | to read:

166 |       489.5185 Fire alarm system agents.--

167 (1) A certified unlimited electrical contractor or  
 168 licensed fire alarm contractor may not employ a person to  
 169 perform the duties of a fire alarm system agent unless the  
 170 person:

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

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

188 (c) Has not been convicted within the last 3 years of a  
 189 crime that directly relates to the business for which employment  
 190 is being sought. Although the employee is barred from operating  
 191 as a fire alarm system agent for 3 years subsequent to his or  
 192 her conviction, the employer shall be supplied the information  
 193 regarding any convictions occurring prior to that time, and the  
 194 employer may at his or her discretion consider an earlier

195 conviction to be a bar to employment as a fire alarm system  
196 agent. To ensure that this requirement has been met, a certified  
197 unlimited electrical contractor or licensed fire alarm  
198 contractor must obtain from the Florida Department of Law  
199 Enforcement a completed fingerprint and criminal background  
200 check for each applicant for employment as a fire alarm system  
201 agent or for each individual currently employed on the effective  
202 date of this act as a fire alarm system agent.

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

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

219 (b) A state-certified electrical contractor, a state-  
220 certified fire alarm system contractor, a state-registered fire  
221 alarm system contractor, a journeyman electrician licensed by  
222 any local jurisdiction, or an alarm technician licensed by a



223 local jurisdiction that requires an examination and experience  
 224 or training as licensure qualifications is not required to  
 225 complete the training required for fire alarm system agents. A  
 226 state-registered electrical contractor is not required to  
 227 complete the training required for fire alarm system agents, so  
 228 long as he or she is only doing electrical work up to the alarm  
 229 panel.

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

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

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

249 (3) An applicant for employment as a fire alarm system  
 250 agent may commence employment, or an individual employed as a

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

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

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

278 (c) Each person to whom an identification card has been  
279 issued is responsible for the safekeeping thereof, and may not  
280 loan, or allow any other person to use or display, the  
281 identification card.

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

286 (e) Each licensed electrical or alarm system contractor  
287 must obtain an updated criminal background check from the  
288 Department of Law Enforcement for each fire alarm system agent  
289 who renews certification.

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

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

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