

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/CS/SB 562

SPONSOR: Appropriations Committee, Regulated Industries Committee and Senator Bennett

SUBJECT: Electrical & Alarm System Contracts

DATE: April 13, 2004

REVISED: 03/03/04

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sumner</u>	<u>Imhof</u>	<u>RI</u>	<u>Fav/CS</u>
2.	<u>Clodfelter</u>	<u>Cannon</u>	<u>CJ</u>	<u>Fav/1 amendment</u>
3.	<u>DeLoach</u>	<u>Hayes</u>	<u>AGG</u>	<u>Fav/CS</u>
4.	<u></u>	<u></u>	<u>AP</u>	<u>Withdrawn: Fav/CS</u>
5.	<u></u>	<u></u>	<u></u>	<u></u>
6.	<u></u>	<u></u>	<u></u>	<u></u>

I. Summary:

Committee Substitute for CS/SB 562 requires that alarm system contractors and electrical contractors engaged in alarm systems contracting, who seek to renew their certificates or registrations, have two hours of false alarm prevention education as part of their continuing education requirements. It requires burglar alarm and fire alarm system agents to have two additional hours of training in false alarm prevention and expands the criminal background check to require processing through the Federal Bureau of Investigation (FBI). It allows applicants and individual burglar alarm system agents 90 days to complete training and background checks. It requires that licensed electrical or alarm system contractors furnish their burglar alarm system agents with a board approved identification card. The card is valid for two years and may be renewed subject to proof of compliance with continuing education requirements and an updated criminal background check.

This bill substantially amends the following sections of the Florida Statutes: 489.517, 489.518, 489.5185, and 489.529.

II. Present Situation:

Continuing Education

Section 489.517, F.S., requires that contractors licensed under parts I and II of ch. 489, F.S., who seek to renew their certificates or registrations, take 14 hours of continuing education during each biennium. The breakdown in hours is seven hours on technical subjects, one hour on workers' compensation, one hour on workplace safety, and one hour on business practices, with the remaining four on electives chosen from board approved courses.

Alarm System Agents

Section 489.518, F.S., regulates Burglar Alarm System agents. It requires that in order for a licensed electrical or alarm system contractor to employ an agent, the person must be 18 years of age and have completed 12 hours of training in alarm system electronics and other related training. Persons who perform only monitoring or sales are not required to complete the training. It further requires that the employer obtain a fingerprint and background check on the agent from the Florida Department of Law Enforcement. It also permits the agent to work and complete the required training for 60 days under the supervision and control of a licensed electrical or burglar alarm contractor pending the results of the background check. The agent is required to carry a photo identification card identifying the agent and name and license of the contractor.

Fire Alarm System Agents

Section 489.5185, F.S., regulates Fire Alarm System agents. It requires that in order for a certified unlimited electrical contractor or licensed fire alarm contractor to employ a fire alarm system agent, the person must be 18 years of age and have successfully completed a minimum of 18 hours of initial training that includes basic fire alarm system technology in addition to related training in National Fire Protection Association codes and standards. It further requires that the employer obtain a fingerprint and background check on the agent from the Florida Department of Law Enforcement. The alarm and fire alarm system agent is required to carry a board-approved photo identification card identifying the agent and name and license of the contractor.

III. Effect of Proposed Changes:**Continuing Education**

The bill amends s. 489.517(4)(b), F.S., to require that alarm system contractors and electrical contractors engaged in alarm system contracting, who seek to renew their certificates or registrations, have two hours of false alarm prevention education as part of their continuing education requirements. The bill also changes the continuing education hours from 12 to 14 for both the burglar and fire alarm system agents.

According to the Department of Business and Professional Regulation (department), the requirement for certified or registered electrical and alarm contractors to obtain two hours of continuing education training may help reduce the high incidence of false alarms being experienced by law enforcement personnel. If the training exposes the contractors to the major reasons for false alarms and does in fact reduce the incidence of false alarms, this will allow for law enforcement personnel to respond to actual required assistance calls from the public.

Alarm System Agents

Section 489.518 F.S., is amended to require a burglar alarm system agent to complete at least two hours of false alarm prevention. The bill deletes the salesperson exemption from the 14 hours of continuing education required for agents. It requires that the agent, who is subject to the background check, file a complete set of fingerprints with the Department of Law Enforcement. It requires an updated background check from the Florida Department of Law Enforcement for each agent who renews certification. It expands the period the agent may work and complete the required training from 60 days to 90 days pending the results of the background check. It also provides for the board to approve a format for an identification card. The card is valid for two

years and may be renewed subject to proof of compliance with continuing education requirements and an updated criminal background check.

According to the department, the effect of salespersons being required to complete the training for burglar alarm system agents may provide a number of benefits to the public and the industry. A salesperson, with the knowledge and training in alarm systems, will be better versed in dealing with the public when presenting a system. The department further maintains that the training should aid the agent in developing a system within the customer's desires instead of selling a generic system that may or may not meet the customer's particular situation.

The condition which allows the agent to work for 90 days and obtain a board approved identification card will mirror the same condition currently allowed for fire alarm system agents. Requiring the agent to have an updated background check from the Florida Department of Law Enforcement will "refresh" the background information. This will determine that no illegal activity has occurred after initial and continued employment of the burglar alarm agent.

Fire Alarm System Agents

Section 489.5185, F.S., is amended to require two hours of training in false alarm prevention which is included in the initial 14 hour training. It requires that the agent, who is the subject of the background check, file a complete set of fingerprints with the Department of Law Enforcement. It also requires an updated background check from the Florida Department of Law Enforcement for each agent who renews certification.

According to the department, the requirement for fire alarm system agents to obtain two hours of training in false alarm prevention in the initial 14 hour training may aid the agent in better determining if an activated alarm is a genuine emergency or a fault of the system. Being better educated in the area, the agent's training may also aid in reducing the number of false alarms thus reducing the number of available law enforcement personnel for genuine emergencies. The effect of performing an updated background check in detecting any criminal behavior through the Florida Department of Law Enforcement for agents that renew their license, may aid in detecting any criminal behavior that may have occurred between initial and continued employment.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Certified electrical contractors or licensed fire alarm contractors will incur an additional cost for continuing education requirements. It is also estimated that the alarm system agent and the fire alarm system employee applicants might incur additional minimal costs for obtaining their fingerprints.

C. Government Sector Impact:

According to the department, the committee substitute will have minimal fiscal impact and any additional workload will be absorbed within existing resources.

Additional training requirements may result in fewer false alarms and local law enforcement agency and fire department costs will be reduced by the reduction in the number of alarms.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.