

By the Committee on Regulated Industries; and Senator Bennett

315-1361-04

1                                   A bill to be entitled  
2           An act relating to electrical and alarm system  
3           contracting; amending s. 489.517, F.S.;  
4           requiring certificateholders and registrants to  
5           have continuing education in preventing false  
6           alarms; amending s. 489.518, F.S.; revising  
7           qualifications for burglar alarm system agents;  
8           requiring an additional criminal background  
9           check; removing an exemption from training  
10          requirements for persons who only perform  
11          sales; authorizing employment as an alarm  
12          system agent or burglar alarm system agent  
13          under supervision for a specified period,  
14          pending completion of training and the criminal  
15          background check; providing the format, the  
16          validity period, and renewal requirements for  
17          burglar alarm system agent identification  
18          cards; requiring an updated criminal background  
19          check of each burglar alarm system agent who  
20          renews certification; providing continuing  
21          education requirements for burglar alarm system  
22          agents; amending s. 489.5185, F.S.; revising  
23          qualifications for fire alarm system agents;  
24          requiring an additional criminal background  
25          check; requiring an updated criminal background  
26          check of each fire alarm system agent who  
27          renews certification; requiring fire alarm  
28          system agents to have continuing education in  
29          preventing false alarms; amending s. 489.529,  
30          F.S.; requiring a second alarm-verification  
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1 call if the first call is unanswered; providing  
2 an effective date.

3  
4 Be It Enacted by the Legislature of the State of Florida:

5  
6 Section 1. Paragraph (b) of subsection (4) of section  
7 489.517, Florida Statutes, is amended to read:

8 489.517 Renewal of certificate or registration;  
9 continuing education.--

10 (4)

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

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

19 489.518 Alarm system agents.--

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

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

25 (b) Has successfully completed a minimum of 14 ~~12~~  
26 hours of training, to include basic alarm system electronics  
27 in addition to related training including CCTV and access  
28 control training, with at least 2 hours of training in the  
29 prevention of false alarms. Such training shall be from a  
30 board-approved provider, and the employee or applicant for  
31 employment shall provide proof of successful completion to the

1 licensed employer. The board shall by rule establish criteria  
2 for the approval of training courses and providers and may by  
3 rule establish criteria for accepting alternative nonclassroom  
4 education on an hour-for-hour basis. The board shall approve  
5 providers that conduct training in other than the English  
6 language. The board shall establish a fee for the approval of  
7 training providers or courses, not to exceed \$60. Qualified  
8 employers may conduct training classes for their employees,  
9 with board approval.

10 (c) Has not been convicted within the last 3 years of  
11 a crime that directly relates to the business for which  
12 employment is being sought. Although the employee is barred  
13 from operating as an alarm system agent for 3 years subsequent  
14 to his or her conviction, the employer shall be supplied the  
15 information regarding any convictions occurring prior to that  
16 time, and the employer may at his or her discretion consider  
17 an earlier conviction to be a bar to employment as an alarm  
18 system agent. To ensure that this requirement has been met, a  
19 licensed electrical or alarm contractor must obtain from the  
20 Florida Department of Law Enforcement and Federal Bureau of  
21 Investigation a completed fingerprint and criminal background  
22 check, including a check through the National Crime  
23 Information Center. Each individual subject to the background  
24 criminal history check shall file a complete set of  
25 fingerprints with the Florida Department of Law Enforcement  
26 for state processing and with the Federal Bureau of  
27 Investigation for federal processing ~~for each applicant for~~  
28 ~~employment as a burglar alarm system agent or for each~~  
29 ~~individual currently employed on the effective date of this~~  
30 ~~act as a burglar alarm system agent.~~

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

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

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

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

20           (d) A state-certified electrical contractor, a  
21 state-certified alarm system contractor, a state-registered  
22 alarm system contractor, a journeyman electrician licensed by  
23 any local jurisdiction, or an alarm technician licensed by a  
24 local jurisdiction that requires an examination and experience  
25 or training as licensure qualifications, is not required to  
26 complete the training required for burglar alarm system  
27 agents. A state-registered electrical contractor is not  
28 required to complete the training required for burglar alarm  
29 system agents, so long as he or she is only doing electrical  
30 work up to the alarm panel.

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1           (e) A nonsupervising employee working as a helper or  
2 apprentice under the direct, on-site, continuous supervision  
3 of a state-certified electrical contractor, a state-registered  
4 electrical contractor, a state-certified alarm system  
5 contractor, a state-registered alarm system contractor, a  
6 journeyman electrician licensed by any local jurisdiction, an  
7 alarm technician licensed by a local jurisdiction that  
8 requires an examination and experience or training as  
9 licensure qualifications, or a qualified alarm system agent is  
10 not required to complete the training otherwise required and  
11 is not required to be 18 years of age or older.

12           (3) An applicant for employment as an alarm system  
13 agent, or an individual employed as a burglar alarm system  
14 agent on the effective date of this act, may commence or  
15 continue employment pending the completion of the required  
16 training and the results of the background check required by  
17 this section for a period not to exceed 90 ~~60~~ days after the  
18 date of application for employment, or 90 ~~60~~ days after the  
19 effective date of this act for individuals currently employed  
20 as burglar alarm system agents. However, the person must work  
21 under the direction and control of a sponsoring licensed  
22 electrical or burglar alarm system contractor pending the  
23 completion of the training and the criminal background check.  
24 If an applicant or an individual employed on the effective  
25 date of this act does not complete the training or receive a  
26 satisfactory criminal background check within the 90-day  
27 ~~60-day~~ period, the employment must be terminated immediately.

28           (4)(a) A licensed electrical or alarm system  
29 contractor shall furnish each of its burglar alarm system  
30 agents with an identification card.

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1           **(b)** The identification card shall be designed in a  
2 board-approved format.The card must ~~shall~~ include a picture  
3 of the agent, must ~~and shall~~ specify at least the name of the  
4 holder of the card and the name and license number of the  
5 contractor, and must ~~shall~~ be signed by the contractor and by  
6 the holder of the card. Each identification card is valid for  
7 a period of 2 years after the date of issuance.The  
8 identification card must ~~shall~~ be in the possession of each  
9 burglar alarm system agent while engaged in burglar alarm  
10 system agent duties.

11           **(c)**~~(b)~~ Each person to whom an identification card has  
12 been issued shall be responsible for the safekeeping thereof  
13 and shall not loan, or allow any other person to use or  
14 display, the identification card.

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

19           **(e)** Each licensed electrical or alarm system  
20 contractor must obtain an updated criminal background check  
21 from the Department of Law Enforcement for each burglar alarm  
22 system agent who renews certification.

23           **(5)** Each burglar alarm system agent must receive 6  
24 hours of continuing education on burglar alarm system  
25 installation and repair and false alarm prevention every 2  
26 years from a board-approved sponsor of training and through a  
27 board-approved training course.

28           **(6)**~~(5)~~ Failure to comply with any of the provisions of  
29 this section shall be a disciplinable offense against the  
30 contractor pursuant to s. 489.533.

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1           Section 3. Section 489.5185, Florida Statutes, is  
2 amended to read:

3           489.5185 Fire alarm system agents.--

4           (1) A certified unlimited electrical contractor or  
5 licensed fire alarm contractor may not employ a person to  
6 perform the duties of a fire alarm system agent unless the  
7 person:

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

10           (b) Has successfully completed a minimum of 14 ~~18~~  
11 hours of initial training, to include basic fire alarm system  
12 technology in addition to related training in National Fire  
13 Protection Association (NFPA) codes and standards and access  
14 control training, with at least 2 hours of training in the  
15 prevention of false alarms. Such training must be from a  
16 board-approved provider, and the employee or applicant for  
17 employment must provide proof of successful completion to the  
18 licensed employer. The board, by rule, shall establish  
19 criteria for the approval of training courses and providers.  
20 The board shall approve qualified providers that conduct  
21 training in other than the English language. The board shall  
22 establish a fee for the approval of training providers, not to  
23 exceed \$200, and a fee for the approval of courses at \$25 per  
24 credit hour, not to exceed \$100 per course.

25           (c) Has not been convicted within the last 3 years of  
26 a crime that directly relates to the business for which  
27 employment is being sought. Although the employee is barred  
28 from operating as a fire alarm system agent for 3 years  
29 subsequent to his or her conviction, the employer shall be  
30 supplied the information regarding any convictions occurring  
31 prior to that time, and the employer may at his or her

1 discretion consider an earlier conviction to be a bar to  
2 employment as a fire alarm system agent. To ensure that this  
3 requirement has been met, a certified unlimited electrical  
4 contractor or licensed fire alarm contractor must obtain from  
5 the Department of Law Enforcement and Federal Bureau of  
6 Investigation a completed fingerprint and criminal background  
7 check, including a check through the National Crime  
8 Information Center. Each individual subject to the background  
9 criminal history check shall file a complete set of  
10 fingerprints with the Department of Law Enforcement for state  
11 processing and with the Federal Bureau of Investigation for  
12 federal processing ~~for each applicant for employment as a fire~~  
13 ~~alarm system agent or for each individual currently employed~~  
14 ~~on the effective date of this act as a fire alarm system~~  
15 ~~agent.~~

16 (d) Has not been committed for controlled substance  
17 abuse or been found guilty of a crime under chapter 893 or any  
18 similar law relating to controlled substances in any other  
19 state within the 3-year period immediately preceding the date  
20 of application for employment, or immediately preceding the  
21 effective date of this act for an individual employed as a  
22 fire alarm system agent on that date, unless the person  
23 establishes that he or she is not currently abusing any  
24 controlled substance and has successfully completed a  
25 rehabilitation course.

26 (2)(a) Any applicant for employment as a fire alarm  
27 system agent, or any individual employed as a fire alarm  
28 system agent on the effective date of this act, who has  
29 completed alarm system agent or burglar alarm system agent  
30 training prior to the effective date of this act in a  
31 board-certified program is not required to take additional

1 training in order to comply with the initial training  
2 requirements of this section.

3 (b) A state-certified electrical contractor, a  
4 state-certified fire alarm system contractor, a  
5 state-registered fire alarm system contractor, a journeyman  
6 electrician licensed by any local jurisdiction, or an alarm  
7 technician licensed by a local jurisdiction that requires an  
8 examination and experience or training as licensure  
9 qualifications is not required to complete the training  
10 required for fire alarm system agents. A state-registered  
11 electrical contractor is not required to complete the training  
12 required for fire alarm system agents, so long as he or she is  
13 only doing electrical work up to the alarm panel.

14 (c) A nonsupervising employee working as a helper or  
15 apprentice under the direct, onsite, continuous supervision of  
16 a state-certified electrical contractor, a state-registered  
17 electrical contractor, a state-certified fire alarm system  
18 contractor, a state-registered fire alarm system contractor, a  
19 journeyman electrician licensed by any local jurisdiction, an  
20 alarm technician licensed by a local jurisdiction that  
21 requires an examination and experience or training as  
22 licensure qualifications, or a qualified fire alarm system  
23 agent is not required to complete the training otherwise  
24 required and is not required to be 18 years of age or older.

25 (d) A burglar alarm system agent employed by a  
26 licensed fire alarm contractor or certified unlimited  
27 electrical contractor who has fulfilled all requirements of s.  
28 489.518 prior to the effective date of this act is not  
29 required to complete the initial training required by this  
30 section for fire alarm system agents.

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

4           (3) An applicant for employment as a fire alarm system  
5 agent may commence employment, or an individual employed as a  
6 fire alarm system agent on the effective date of this act may  
7 continue employment, pending completion of both the training  
8 and the fingerprint and criminal background checks required by  
9 this section, for a period not to exceed 90 days after the  
10 date of application for employment or 90 days after the  
11 effective date of this act for individuals employed as fire  
12 alarm system agents on that date. However, the person must  
13 work under the direction and control of a sponsoring certified  
14 unlimited electrical contractor or licensed fire alarm  
15 contractor until completion of both the training and the  
16 fingerprint and criminal background checks. If an applicant or  
17 an individual employed on the effective date of this act does  
18 not complete the training or receive satisfactory fingerprint  
19 and criminal background checks within the 90-day period, the  
20 employment must be terminated immediately.

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

24           (b) The card shall follow a board-approved format, to  
25 include a picture of the agent; shall specify at least the  
26 name of the holder of the card and the name and license number  
27 of the certified unlimited electrical contractor or licensed  
28 fire alarm contractor; and shall be signed by both the  
29 contractor and the holder of the card. Each identification  
30 card shall be valid for a period of 2 years after the date of  
31 issuance. The identification card must be in the possession of

1 the fire alarm system agent while engaged in fire alarm system  
2 agent duties.

3 (c) Each person to whom an identification card has  
4 been issued is responsible for the safekeeping thereof, and  
5 may not loan, or allow any other person to use or display, the  
6 identification card.

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

11 (e) Each licensed electrical or alarm system  
12 contractor must obtain an updated criminal background check  
13 from the Department of Law Enforcement for each fire alarm  
14 system agent who renews certification.

15 (5) Each fire alarm system agent must receive 6 hours  
16 of continuing education on fire alarm system installation and  
17 repair and false alarm prevention every 2 years from a  
18 board-approved sponsor of training and through a  
19 board-approved training course.

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

23 Section 4. Section 489.529, Florida Statutes, is  
24 amended to read:

25 489.529 Alarm verification calls required.--All  
26 residential or commercial intrusion/burglary alarms that have  
27 central monitoring must have a central monitoring verification  
28 call made to the premises generating the alarm signal, prior  
29 to alarm monitor personnel contacting a law enforcement agency  
30 for alarm dispatch. The central monitoring station must be  
31 designed to make a second call to the premises generating the

1 alarm signal if the first call is not answered. However, if  
2 the intrusion/burglary alarms have properly operating visual  
3 or auditory sensors that enable the monitoring personnel to  
4 verify the alarm signal, verification calling is not required.

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

6  
7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
8 COMMITTEE SUBSTITUTE FOR  
9 SB 562

10 The committee substitute adds an additional background check  
11 for alarm system agents and fire alarm system agents from the  
12 Federal Bureau of Investigation. It also requires that  
13 submission of a complete set of fingerprints with the  
14 Department of Law Enforcement and the Federal Bureau of  
15 Investigation.  
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