

By the Committees on Appropriations; Regulated Industries; and  
Senator Bennett

309-2524-04

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

30 Be It Enacted by the Legislature of the State of Florida:  
31

1           Section 1. Paragraph (b) of subsection (4) of section  
2 489.517, Florida Statutes, is amended to read:

3           489.517 Renewal of certificate or registration;  
4 continuing education.--

5           (4)

6           (b) Of the 14 classroom hours of continuing education  
7 required, at least 7 hours must be on technical subjects, 1  
8 hour on workers' compensation, 1 hour on workplace safety, ~~and~~  
9 1 hour on business practices, and for alarm system contractors  
10 and electrical contractors engaged in alarm system  
11 contracting, 2 hours on false alarm prevention.

12           Section 2. Section 489.518, Florida Statutes, is  
13 amended to read:

14           489.518 Alarm system agents.--

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

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

20           (b) Has successfully completed a minimum of 14 ~~12~~  
21 hours of training, to include basic alarm system electronics  
22 in addition to related training including CCTV and access  
23 control training, with at least 2 hours of training in the  
24 prevention of false alarms. Such training shall be from a  
25 board-approved provider, and the employee or applicant for  
26 employment shall provide proof of successful completion to the  
27 licensed employer. The board shall by rule establish criteria  
28 for the approval of training courses and providers and may by  
29 rule establish criteria for accepting alternative nonclassroom  
30 education on an hour-for-hour basis. The board shall approve  
31 providers that conduct training in other than the English

1 language. The board shall establish a fee for the approval of  
2 training providers or courses, not to exceed \$60. Qualified  
3 employers may conduct training classes for their employees,  
4 with board approval.

5 (c) Has not been convicted within the last 3 years of  
6 a crime that directly relates to the business for which  
7 employment is being sought. Although the employee is barred  
8 from operating as an alarm system agent for 3 years subsequent  
9 to his or her conviction, the employer shall be supplied the  
10 information regarding any convictions occurring prior to that  
11 time, and the employer may at his or her discretion consider  
12 an earlier conviction to be a bar to employment as an alarm  
13 system agent. To ensure that this requirement has been met, a  
14 licensed electrical or alarm contractor must obtain from the  
15 Florida Department of Law Enforcement a completed fingerprint  
16 and criminal background check for each applicant for  
17 employment as a burglar alarm system agent or for each  
18 individual currently employed on the effective date of this  
19 act as a burglar alarm system agent.

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

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

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

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

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

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

30           (3) An applicant for employment as an alarm system  
31 agent, or an individual employed as a burglar alarm system

1 agent on the effective date of this act, may commence or  
2 continue employment pending the completion of the required  
3 training and the results of the background check required by  
4 this section for a period not to exceed 90 ~~60~~ days after the  
5 date of application for employment, or 90 ~~60~~ days after the  
6 effective date of this act for individuals currently employed  
7 as burglar alarm system agents. However, the person must work  
8 under the direction and control of a sponsoring licensed  
9 electrical or burglar alarm system contractor pending the  
10 completion of the training and the criminal background check.  
11 If an applicant or an individual employed on the effective  
12 date of this act does not complete the training or receive a  
13 satisfactory criminal background check within the 90-day  
14 ~~60-day~~ period, the employment must be terminated immediately.

15 (4)(a) A licensed electrical or alarm system  
16 contractor shall furnish each of its burglar alarm system  
17 agents with an identification card.

18 (b) The identification card shall be designed in a  
19 board-approved format.The card must ~~shall~~ include a picture  
20 of the agent, must ~~and shall~~ specify at least the name of the  
21 holder of the card and the name and license number of the  
22 contractor, and must ~~shall~~ be signed by the contractor and by  
23 the holder of the card. Each identification card is valid for  
24 a period of 2 years after the date of issuance.The  
25 identification card must ~~shall~~ be in the possession of each  
26 burglar alarm system agent while engaged in burglar alarm  
27 system agent duties.

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

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

5           (e) Each licensed electrical or alarm system  
6 contractor must obtain an updated criminal background check  
7 from the Department of Law Enforcement for each burglar alarm  
8 system agent who renews certification.

9           (5) Each burglar alarm system agent must receive 6  
10 hours of continuing education on burglar alarm system  
11 installation and repair and false alarm prevention every 2  
12 years from a board-approved sponsor of training and through a  
13 board-approved training course.

14           ~~(6)~~(5) Failure to comply with any of the provisions of  
15 this section shall be a disciplinable offense against the  
16 contractor pursuant to s. 489.533.

17           Section 3. Section 489.5185, Florida Statutes, is  
18 amended to read:

19           489.5185 Fire alarm system agents.--

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

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

26           (b) Has successfully completed a minimum of 14 ~~18~~  
27 hours of initial training, to include basic fire alarm system  
28 technology in addition to related training in National Fire  
29 Protection Association (NFPA) codes and standards and access  
30 control training, with at least 2 hours of training in the  
31 prevention of false alarms. Such training must be from a

1 board-approved provider, and the employee or applicant for  
2 employment must provide proof of successful completion to the  
3 licensed employer. The board, by rule, shall establish  
4 criteria for the approval of training courses and providers.  
5 The board shall approve qualified providers that conduct  
6 training in other than the English language. The board shall  
7 establish a fee for the approval of training providers, not to  
8 exceed \$200, and a fee for the approval of courses at \$25 per  
9 credit hour, not to exceed \$100 per course.

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 a fire alarm system agent for 3 years  
14 subsequent to his or her conviction, the employer shall be  
15 supplied the information regarding any convictions occurring  
16 prior to that time, and the employer may at his or her  
17 discretion consider an earlier conviction to be a bar to  
18 employment as a fire alarm system agent. To ensure that this  
19 requirement has been met, a certified unlimited electrical  
20 contractor or licensed fire alarm contractor must obtain from  
21 the Department of Law Enforcement a completed fingerprint and  
22 criminal background check for each applicant for employment as  
23 a fire alarm system agent or for each individual currently  
24 employed on the effective date of this act as a fire alarm  
25 system agent.

26 (d) Has not been committed for controlled substance  
27 abuse or been found guilty of a crime under chapter 893 or any  
28 similar law relating to controlled substances in any other  
29 state within the 3-year period immediately preceding the date  
30 of application for employment, or immediately preceding the  
31 effective date of this act for an individual employed as a

1 fire alarm system agent on that date, unless the person  
2 establishes that he or she is not currently abusing any  
3 controlled substance and has successfully completed a  
4 rehabilitation course.

5 (2)(a) Any applicant for employment as a fire alarm  
6 system agent, or any individual employed as a fire alarm  
7 system agent on the effective date of this act, who has  
8 completed alarm system agent or burglar alarm system agent  
9 training prior to the effective date of this act in a  
10 board-certified program is not required to take additional  
11 training in order to comply with the initial training  
12 requirements of this section.

13 (b) A state-certified electrical contractor, a  
14 state-certified fire alarm system contractor, a  
15 state-registered fire alarm system contractor, a journeyman  
16 electrician licensed by any local jurisdiction, or an alarm  
17 technician licensed by a local jurisdiction that requires an  
18 examination and experience or training as licensure  
19 qualifications is not required to complete the training  
20 required for fire alarm system agents. A state-registered  
21 electrical contractor is not required to complete the training  
22 required for fire alarm system agents, so long as he or she is  
23 only doing electrical work up to the alarm panel.

24 (c) A nonsupervising employee working as a helper or  
25 apprentice under the direct, onsite, continuous supervision of  
26 a state-certified electrical contractor, a state-registered  
27 electrical contractor, a state-certified fire alarm system  
28 contractor, a state-registered fire alarm system contractor, a  
29 journeyman electrician licensed by any local jurisdiction, an  
30 alarm technician licensed by a local jurisdiction that  
31 requires an examination and experience or training as



1 licensure qualifications, or a qualified fire alarm system  
2 agent is not required to complete the training otherwise  
3 required and is not required to be 18 years of age or older.

4 (d) A burglar alarm system agent employed by a  
5 licensed fire alarm contractor or certified unlimited  
6 electrical contractor who has fulfilled all requirements of s.  
7 489.518 prior to the effective date of this act is not  
8 required to complete the initial training required by this  
9 section for fire alarm system agents.

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

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

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

4           (b) The card shall follow a board-approved format, to  
5 include a picture of the agent; shall specify at least the  
6 name of the holder of the card and the name and license number  
7 of the certified unlimited electrical contractor or licensed  
8 fire alarm contractor; and shall be signed by both the  
9 contractor and the holder of the card. Each identification  
10 card shall be valid for a period of 2 years after the date of  
11 issuance. The identification card must be in the possession of  
12 the fire alarm system agent while engaged in fire alarm system  
13 agent duties.

14           (c) Each person to whom an identification card has  
15 been issued is responsible for the safekeeping thereof, and  
16 may not loan, or allow any other person to use or display, the  
17 identification card.

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

22           (e) Each licensed electrical or alarm system  
23 contractor must obtain an updated criminal background check  
24 from the Department of Law Enforcement for each fire alarm  
25 system agent who renews certification.

26           (5) Each fire alarm system agent must receive 6 hours  
27 of continuing education on fire alarm system installation and  
28 repair and false alarm prevention every 2 years from a  
29 board-approved sponsor of training and through a  
30 board-approved training course.

31

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

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

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

9 The committee substitute:

10 (1) Retains the background check for alarm system agents and  
11 fire alarm system agents from the Florida Department of Law  
12 Enforcement and removes the additional background check from  
the Federal Bureau of Investigation.

13 (2) Removes the requirement that the central monitoring  
14 station be designed to make a second call to the premises if  
the first call is not answered.