

1 A bill to be entitled
 2 An act relating to electrical and alarm system
 3 contracting; amending s. 489.503, F.S.; revising
 4 exemptions from regulation of electrical and alarm system
 5 contracting; amending s. 489.505, F.S.; revising
 6 definitions; amending s. 489.513, F.S.; providing
 7 additional requirements for registration as a contractor;
 8 amending s. 489.529, F.S.; requiring central monitoring
 9 stations to employ enhanced call verification methods
 10 under certain circumstances; amending s. 489.530, F.S.;
 11 exempting fire alarm systems from certain audible alarm
 12 requirements; amending s. 489.537, F.S.; providing a
 13 limitation on additional alarm system contractor or
 14 electrical contractor certification or licensure
 15 requirements; providing an effective date.

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 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Paragraph (b) of subsection (14) and paragraph
 20 (d) of subsection (15) of section 489.503, Florida Statutes, are
 21 amended to read:

22 489.503 Exemptions.--This part does not apply to:

23 (14)

24 (b) The installation of, repair of, alteration of,
 25 addition to, or design of electrical wiring, fixtures,
 26 appliances, thermostats, apparatus, raceways, and conduit, or
 27 any part thereof, when those items are for the purpose of
 28 transmitting data, voice communications, or commands as part of

29 a system of telecommunications, including computers, telephone
30 customer premises equipment, or premises wiring. The scope of
31 this exemption is limited to electrical circuits and equipment
32 governed by the applicable provisions of Articles 725 (Classes 2
33 and 3 circuits only), 770, 800, 810, and 820 of the National
34 Electrical Code, current edition, or 47 C.F.R. part 68. A
35 company certified under chapter 364 is not subject to any local
36 ordinance that requires a permit for work performed by its
37 employees related to low voltage electrical work, including
38 related technical codes and regulations. The exemption in this
39 paragraph shall apply only if such work is requested by the
40 company's customer, is required in order to complete phone
41 service, is incidental to provision of telecommunication service
42 as required by chapter 364, and is not the subject of a
43 competitive bid. The definition of "employee" established in
44 subsection (1) applies to this exemption and does not include
45 subcontractors. Contractors performing work in accordance with
46 the applicable provisions of Articles 725 (Classes 2 and 3
47 circuits only), 770, 800, 810, and 820 of the National
48 Electrical Code, current edition, or 47 C.F.R. part 68 that is
49 not certified under chapter 364 must be certified pursuant to s.
50 489.511.

51 (15) The provision, installation, testing, routine
52 maintenance, factory-servicing, or monitoring of a personal
53 emergency response system, as defined in s. 489.505, by an
54 authorized person who:

55 (d) Is an employee of ~~or an authorized representative or~~
 56 ~~distributor for~~ the producer or manufacturer of the personal
 57 emergency response system being monitored.

58 Section 2. Subsections (2), (7), (25), (27), and (28) of
 59 section 489.505, Florida Statutes, are amended to read:

60 489.505 Definitions.--As used in this part:

61 (2) "Alarm system contractor" means a person whose
 62 business includes the execution of contracts requiring the
 63 ability, experience, science, knowledge, and skill to lay out,
 64 fabricate, install, maintain, alter, repair, monitor, inspect,
 65 replace, or service alarm systems for compensation, including,
 66 but not limited to, all types of alarm systems for all purposes.
 67 This term also means any person, firm, or corporation that
 68 engages in the business of alarm system contracting under an
 69 expressed or implied contract; that undertakes, offers to
 70 undertake, purports to have the capacity to undertake, or
 71 submits a bid to engage in the business of alarm system
 72 contracting; or that does itself or by or through others engage
 73 in the business of alarm system contracting.

74 (a) "Alarm system contractor I" means an alarm system
 75 contractor whose business includes all types of alarm systems
 76 for all purposes.

77 (b) "Alarm system contractor II" means an alarm system
 78 contractor whose business includes all types of alarm systems
 79 other than fire, for all purposes, except as herein provided.

80 (7) "Certified alarm system contractor" means an alarm
 81 system contractor who possesses a certificate of competency
 82 issued by the department. The scope of certification is limited

83 to alarm circuits originating in the alarm control panel and
 84 equipment governed by the applicable provisions of Articles 725,
 85 760, 770, 800, and 810 of the National Electrical Code, Current
 86 Edition, and National Fire Protection Association Standard 72,
 87 Current Edition. The scope of certification for alarm system
 88 contractors also includes the installation, repair, fabrication,
 89 erection, alteration, addition, inspection, monitoring, or
 90 design of electrical wiring, fixtures, appliances, thermostats,
 91 apparatus, raceways, and conduit, or any part thereof not to
 92 exceed 98 volts (RMS) ~~77 volts~~, when those items are for the
 93 purpose of transmitting data or proprietary video (satellite
 94 systems that are not part of a community antenna television or
 95 radio distribution system) or providing central vacuum
 96 capability or electric locks; ~~however, this provision governing~~
 97 ~~the scope of certification does not create any mandatory~~
 98 ~~licensure requirement.~~

- 99 (25) "Burglar alarm system agent" means a person:
- 100 (a) Who is employed by a licensed alarm system contractor
 - 101 or licensed electrical contractor;
 - 102 (b) Who is performing duties which are an element of an
 - 103 activity which constitutes alarm system contracting requiring
 - 104 licensure under this part; and
 - 105 (c) Whose specific duties include any of the following:
 - 106 altering, installing, maintaining, moving, repairing, replacing,
 - 107 servicing, inspecting, selling ~~onsite~~, or monitoring an
 - 108 intrusion or burglar alarm system for compensation.

109 (27) "Monitoring" means to receive electrical or
 110 electronic signals, originating from any structure ~~building~~

111 within or outside of the state, regardless of whether those
 112 signals are relayed through a jurisdiction outside of the state,
 113 where such signals are produced by any security, medical, fire,
 114 or burglar alarm, closed circuit television camera, access
 115 control system, or related or similar protective system and are
 116 intended by design to initiate a response thereto. A person
 117 shall not have committed the act of monitoring if:

118 (a) The person is an occupant of, or an employee working
 119 within, protected premises;

120 (b) The person initiates emergency action in response to
 121 hearing or observing an alarm signal;

122 (c) The person's action is incidental to his or her
 123 primary responsibilities; and

124 (d) The person is not employed in a proprietary monitoring
 125 facility, as defined by the National Fire Protection Association
 126 pursuant to rule adopted under chapter 633.

127 (28) "Fire alarm system agent" means a person:

128 (a) Who is employed by a licensed fire alarm contractor or
 129 certified unlimited electrical contractor;

130 (b) Who is performing duties which are an element of an
 131 activity that constitutes fire alarm system contracting
 132 requiring certification under this part; and

133 (c) Whose specific duties include any of the following:
 134 altering, installing, maintaining, moving, repairing, replacing,
 135 servicing, selling ~~onsite~~, or monitoring a fire alarm system for
 136 compensation.

137 Section 3. Subsection (1) of section 489.513, Florida
 138 Statutes, is amended to read:

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489.513 Registration; application; requirements.--

(1) Any person engaged in the business of contracting in the state shall be registered in the proper classification, unless he or she is certified. Any person desiring to be a registered contractor shall apply to the department for registration, and:

(a) Be at least 18 years old.

(b) Be of good moral character.

1. "Good moral character" means a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation.

2. The board may determine that a person applying for registration is ineligible for failure to satisfy the requirement of good moral character only if:

a. There is a substantial connection between the lack of good moral character of the individual and the professional responsibilities of a registered contractor.

b. The finding by the board of lack of good moral character is supported by clear and convincing evidence.

3. When a person is found to be unqualified because of a lack of good moral character, the board shall furnish the person a statement containing the findings of the board, a complete record of evidence upon which the determination was based, and a notice of the rights of the person to a rehearing and appeal.

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

489.529 Alarm verification calls required.--All residential or commercial intrusion/burglary alarms that have

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167 central monitoring must have a central monitoring verification
168 call made to the premises generating the alarm signal, prior to
169 alarm monitor personnel contacting a law enforcement agency for
170 alarm dispatch. The central monitoring station must employ
171 enhanced call verification methods for the premises generating
172 the alarm signal if the first call is not answered. However, if
173 the intrusion/burglary alarms have properly operating visual or
174 auditory sensors that enable the monitoring personnel to verify
175 the alarm signal, verification calling is not required.

176 Section 5. Section 489.530, Florida Statutes, is amended
177 to read:

178 489.530 Audible alarms.--Every audible alarm system
179 installed by a licensed contractor shall have a device to
180 automatically terminate the audible signal within 15 minutes of
181 activation. Fire alarms systems, whether installed voluntarily
182 or as a requirement of an adopted code employing audible fire
183 signals, shall be exempted as required by such code.

184 Section 6. Paragraph (a) of subsection (3) of section
185 489.537, Florida Statutes, is amended to read:

186 489.537 Application of this part.--

187 (3) Nothing in this act limits the power of a municipality
188 or county:

189 (a) To regulate the quality and character of work
190 performed by contractors through a system of permits, fees, and
191 inspections which is designed to secure compliance with, and aid
192 in the implementation of, state and local building laws or to
193 enforce other local laws for the protection of the public health
194 and safety. However, no certified alarm system contractor or

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195 | certified electrical contractor shall be subject to any
196 | additional certification or licensure requirements not required
197 | by this part.

198 | Section 7. This act shall take effect July 1, 2005.