

CHAMBER ACTION

1 The Business Regulation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to electrical and alarm system
7 contracting; amending s. 489.503, F.S.; exempting
8 individuals or entities that install or repair lightning
9 rods and related systems from regulation under pt. II of
10 ch. 489, F.S.; amending s. 489.505, F.S.; revising
11 definitions; amending s. 489.513, F.S.; providing
12 additional requirements for registration as a contractor;
13 amending s. 489.529, F.S.; requiring central monitoring
14 stations to employ enhanced call verification methods
15 under certain circumstances; amending s. 489.530, F.S.;
16 exempting fire alarm systems from certain audible alarm
17 requirements; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Subsection (21) is added to section 489.503,
22 Florida Statutes, to read:

23 489.503 Exemptions.--This part does not apply to:

24 (21) Individuals or entities that install or repair
 25 lightning rods and related systems.

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

28 489.505 Definitions.--As used in this part:

29 (2) "Alarm system contractor" means a person whose
 30 business includes the execution of contracts requiring the
 31 ability, experience, science, knowledge, and skill to lay out,
 32 fabricate, install, maintain, alter, repair, monitor, inspect,
 33 replace, or service alarm systems for compensation, including,
 34 but not limited to, all types of alarm systems for all purposes.

35 The term also means any person, firm, or corporation that
 36 engages in the business of alarm system contracting under an
 37 expressed or implied contract; that undertakes, offers to
 38 undertake, purports to have the capacity to undertake, or
 39 submits a bid to engage in the business of alarm system
 40 contracting; or that does, itself or by or through others,
 41 engage in the business of alarm system contracting.

42 (a) "Alarm system contractor I" means an alarm system
 43 contractor whose business includes all types of alarm systems
 44 for all purposes.

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

48 (7) "Certified alarm system contractor" means an alarm
 49 system contractor who possesses a certificate of competency
 50 issued by the department. The scope of certification is limited
 51 to alarm circuits originating in the alarm control panel and

HB 489

2006
CS

52 equipment governed by the applicable provisions of Articles 725,
 53 760, 770, 800, and 810 of the National Electrical Code, Current
 54 Edition, and National Fire Protection Association Standard 72,
 55 Current Edition. The scope of certification for alarm system
 56 contractors also includes the installation, repair, fabrication,
 57 erection, alteration, addition, inspection, monitoring, or
 58 design of electrical wiring, fixtures, appliances, thermostats,
 59 apparatus, raceways, and conduit, or any part thereof not to
 60 exceed 98 volts (RMS) ~~77 volts~~, when those items are for the
 61 purpose of transmitting data or proprietary video (satellite
 62 systems that are not part of a community antenna television or
 63 radio distribution system) or providing central vacuum
 64 capability or electric locks; ~~however, this provision governing~~
 65 ~~the scope of certification does not create any mandatory~~
 66 ~~licensure requirement.~~

- 67 (25) "Burglar alarm system agent" means a person:
- 68 (a) Who is employed by a licensed alarm system contractor
 69 or licensed electrical contractor;
- 70 (b) Who is performing duties which are an element of an
 71 activity which constitutes alarm system contracting requiring
 72 licensure under this part; and
- 73 (c) Whose specific duties include any of the following:
 74 altering, installing, maintaining, moving, repairing, replacing,
 75 servicing, inspecting, selling ~~onsite~~, or monitoring an
 76 intrusion or burglar alarm system for compensation.
- 77 (27) "Monitoring" means to receive electrical or
 78 electronic signals, originating from any structure building
 79 within or outside of the state, regardless of whether those

HB 489

2006
CS

80 signals are relayed through a jurisdiction outside of the state,
 81 where such signals are produced by any security, medical, fire,
 82 or burglar alarm, closed circuit television camera, access
 83 control system, or related or similar protective system and are
 84 intended by design to initiate a response thereto. A person
 85 shall not have committed the act of monitoring if:

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

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

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

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

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

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

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

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

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

107 489.513 Registration; application; requirements.--

HB 489

2006
CS

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

113 (a) Be at least 18 years old.

114 (b) Be of good moral character.

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

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

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

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

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

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

133 489.529 Alarm verification calls required.--All
134 residential or commercial intrusion/burglary alarms that have
135 central monitoring must have a central monitoring verification

HB 489

2006
CS

136 call made to the premises generating the alarm signal, prior to
137 alarm monitor personnel contacting a law enforcement agency for
138 alarm dispatch. The central monitoring station must employ
139 enhanced call verification methods for the premises generating
140 the alarm signal if the first call is not answered. However, if
141 the intrusion/burglary alarms have properly operating visual or
142 auditory sensors that enable the monitoring personnel to verify
143 the alarm signal, verification calling is not required.

144 Section 5. Section 489.530, Florida Statutes, is amended
145 to read:

146 489.530 Audible alarms.--Every audible alarm system
147 installed by a licensed contractor shall have a device to
148 automatically terminate the audible signal within 15 minutes of
149 activation. Fire alarms systems, whether installed voluntarily
150 or as a requirement of an adopted code employing audible fire
151 signals, shall be exempted as required by such code.

152 Section 6. This act shall take effect July 1, 2006.