



341124

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/10/2013	.	
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	.	
	.	

The Committee on Regulated Industries (Galvano) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (14) of section 489.503, Florida Statutes, is amended, and subsection (23) is added to that section, to read:

489.503 Exemptions.—This part does not apply to:

(14) ~~(a)~~ The sale of, installation of, repair of, alteration of, addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, computers, customer premises equipment, customer premises wiring, and



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13 conduit, or any part thereof, by an employee, contractor,
14 subcontractor, or affiliate of a company operating under a
15 certificate issued under chapter 364 or chapter 610, or under a
16 local franchise or right-of-way agreement, if when those items
17 are for the purpose of transmitting data, voice, video, or other
18 communications, or commands as part of a cable television,
19 community antenna television, ~~or~~ radio distribution,
20 communications, or telecommunications system. ~~The scope of this~~
21 ~~exemption is limited to electrical circuits and equipment~~
22 ~~governed by the applicable provisions of Articles 725 (Classes 2~~
23 ~~and 3 circuits only), 770, 800, 810, and 820 of the National~~
24 ~~Electrical Code, current edition, or 47 C.F.R. part 68.~~

25 (b) ~~The installation of, repair of, alteration of, addition~~
26 ~~to, or design of electrical wiring, fixtures, appliances,~~
27 ~~thermostats, apparatus, raceways, and conduit, or any part~~
28 ~~thereof, when those items are for the purpose of transmitting~~
29 ~~data, voice communications, or commands as part of a system of~~
30 ~~telecommunications, including computers, telephone customer~~
31 ~~premises equipment, or premises wiring. The scope of this~~
32 ~~exemption is limited to electrical circuits and equipment~~
33 ~~governed by the applicable provisions of Articles 725 (Classes 2~~
34 ~~and 3 circuits only), 770, 800, 810, and 820 of the National~~
35 ~~Electrical Code, current edition, or 47 C.F.R. part 68. An~~
36 employee, subcontractor, contractor, or affiliate of a company
37 that operates under a certificate issued ~~certified~~ under chapter
38 364 or chapter 610, or under a local franchise or right-of-way
39 agreement is not subject to any local ordinance that requires a
40 permit for work ~~performed by its employees~~ related to low-
41 voltage ~~low voltage~~ electrical work, including related technical



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42 codes, and regulations, and licensure. The scope of this
43 exemption is limited to electrical circuits and equipment
44 governed by the applicable provisions of Articles 725 (Classes 2
45 and 3 circuits only), 770, 800, 810, and 820 of the National
46 Electrical Code, current edition, or 47 C.F.R. part 68. The
47 ~~exemption in this paragraph shall apply only if such work is~~
48 ~~requested by the company's customer, is required in order to~~
49 ~~complete phone service, is incidental to provision of~~
50 ~~telecommunication service as required by chapter 364, and is not~~
51 ~~the subject of a competitive bid. The definition of "employee"~~
52 ~~established in subsection (1) applies to this exemption and does~~
53 ~~not include subcontractors.~~

54 (23) An employee or sales representative of an alarm system
55 contractor, if the employee or sales representative:

56 (a) Does not alter, install, maintain, move, or repair
57 alarm systems on end-user premises; and

58 (b) Is not granted access to passwords or codes that can be
59 used to arm or disarm the system installed at specific end-user
60 premises or, if working at an out-of-state location, the
61 employee or sales representative with access to such passwords
62 or codes has received a satisfactory fingerprint and background
63 check from a state or federal agency.

64
65 This subsection may not be construed to limit the exemptions
66 provided under subsection (6) or relieve a person of his or her
67 obligation to comply with the applicable background check
68 provisions of ss. 489.518 and 489.5185 for any onsite alarm
69 sales.

70 Section 2. Section 553.793, Florida Statutes, is created to



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71 read:

72 553.793 Streamlined low-voltage alarm system installation
73 permitting.-

74 (1) As used in this section, the term:

75 (a) "Contractor" means a person who is qualified to engage
76 in the business of electrical or alarm system contracting
77 pursuant to a certificate or registration issued by the
78 department under part II of chapter 489.

79 (b) "Low-voltage alarm system project" means a project
80 related to the installation, maintenance, inspection,
81 replacement, or service of a new or existing alarm system, as
82 defined in s. 489.505, operating at low voltage, as defined in
83 the National Electrical Code Standard 70, Current Edition, and
84 ancillary components or equipment attached to such a system,
85 including, but not limited to, home-automation equipment,
86 thermostats, and video cameras.

87 (2) Notwithstanding any provision of law, this section
88 applies to low-voltage alarm system projects for which a permit
89 is required by a local enforcement agency.

90 (3) This section does not apply to the installation or
91 replacement of a fire alarm if a plan review is required.

92 (4) A local enforcement agency shall make uniform basic
93 permit labels available for purchase by a contractor to be used
94 for the installation or replacement of a new or existing alarm
95 system at a cost of not more than \$55 per label per project. A
96 local enforcement agency that charges more than \$55 for such
97 permit before January 1, 2013, may continue to charge the same
98 amount for a uniform basic permit label until January 1, 2015,
99 if the fee does not exceed \$175. A local enforcement agency



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100 charging more than \$175 for such a permit before January 1,
101 2013, may charge a maximum of \$175 for a uniform basic permit
102 label until January 1, 2015.

103 (a) A local enforcement agency may not require a
104 contractor, as a condition of purchasing a label, to submit
105 information other than identification information of the
106 licensee and proof of registration or certification as a
107 contractor.

108 (b) A label is valid for 1 year after the date of purchase
109 and may only be used within the jurisdiction of the local
110 enforcement agency that issued the label. A contractor may
111 purchase labels in bulk for one or more unspecified current or
112 future projects.

113 (5) A contractor shall post an unused uniform basic permit
114 label in a conspicuous place on the premises of the low-voltage
115 alarm system project site before commencing work on the project.

116 (6) A contractor is not required to notify the local
117 enforcement agency before commencing work on a low-voltage alarm
118 system project. However, a contractor must submit a Uniform
119 Notice of a Low-Voltage Alarm System Project, as provided under
120 subsection (7), to the local enforcement agency within 14 days
121 after completing the project. A local enforcement agency may
122 take disciplinary action against a contractor who fails to
123 timely submit a Uniform Notice of a Low-Voltage Alarm System
124 Project.

125 (7) The Uniform Notice of a Low-Voltage Alarm System
126 Project may be submitted electronically or by facsimile if all
127 submissions are signed by the owner, tenant, contractor, or
128 authorized representative of such persons. The Uniform Notice of



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129 a Low-Voltage Alarm System Project must contain the following
130 information:

- 131
- 132 UNIFORM NOTICE OF A LOW-VOLTAGE ALARM SYSTEM PROJECT
- 133 Owner's or Customer's Name.....
- 134 Owner's or Customer's Address.....
- 135 Fee Simple Titleholder's Name (If different from above).....
- 136 Fee Simple Titleholder's Address (If different from above).....
- 137 City.....
- 138 State..... Zip.....
- 139 Phone Number.....
- 140 E-mail Address.....
- 141 Contractor's Name.....
- 142 Contractor's Address.....
- 143 City.....
- 144 State..... Zip.....
- 145 Phone Number.....
- 146 Contractor's License Number.....
- 147 Date Project Completed.....
- 148 Scope of Work.....

149

150 Notice is hereby given that a low-voltage alarm system project
151 has been completed at the address specified above. I certify
152 that all of the foregoing information is true and accurate.
153 ...(Signature of Owner, Tenant, Contractor, or Authorized
154 Representative)...

155 (8) A low-voltage alarm system project may be inspected by
156 the local enforcement agency to ensure compliance with
157 applicable codes and standards. If a low-voltage alarm system



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158 project fails an inspection, the contractor must take corrective
159 action as necessary to pass inspection.

160 (9) A municipality, county, district, or other entity of
161 local government may not adopt or maintain in effect an
162 ordinance or rule regarding a low-voltage alarm system project
163 that is inconsistent with this section.

164 (10) A uniform basic permit label may not be required for
165 the subsequent maintenance, inspection, or service of an alarm
166 system that was permitted in accordance with this section.

167 (11) The provisions of this act are not intended to impose
168 new or additional licensure requirements on a person licensed in
169 accordance with the applicable provisions of Chapter 489.

170 Section 3. This act shall take effect October 1, 2013.

171
172 ===== T I T L E A M E N D M E N T =====

173 And the title is amended as follows:

174 Delete everything before the enacting clause
175 and insert:

176 A bill to be entitled
177 An act relating to alarm systems; amending s. 489.503,
178 F.S.; revising an exemption from licensure related to
179 low-voltage electrical work performed by certain
180 persons and entities; exempting from licensure certain
181 employees and sales representatives of alarm system
182 contractors; providing for construction; creating s.
183 553.793, F.S.; providing definitions; providing
184 applicability; requiring a local enforcement agency to
185 offer for sale uniform basic permit labels to
186 contractors; specifying a maximum price and providing



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187 exceptions; prohibiting a local enforcement agency
188 from applying a certain condition to the purchase of a
189 label; providing that permits expire after a specific
190 time period; requiring contractors to post an unused
191 label in a specified place before commencing work on a
192 low-voltage alarm system project; requiring
193 contractors to submit a Uniform Notice of a Low-
194 Voltage Alarm System Project within a specified
195 period; providing that failure to submit such notice
196 may result in disciplinary action; prescribing a form
197 for a Uniform Notice of a Low-Voltage Alarm System
198 Project; authorizing a local enforcement agency to
199 inspect; prohibiting municipalities, counties,
200 districts, or other entities of local government from
201 adopting or maintaining an ordinance or rule
202 inconsistent with this section; providing that a label
203 is not required for the subsequent maintenance,
204 inspection, or service of a permitted alarm system;
205 providing an effective date.