

By the Committee on Regulated Industries; and Senator Lee

580-04037-13

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1                   A bill to be entitled  
2           An act relating to alarm systems; amending s. 489.503,  
3           F.S.; revising an exemption from licensure related to  
4           low-voltage electrical work performed by certain  
5           persons and entities; exempting from licensure certain  
6           employees and sales representatives of alarm system  
7           contractors; providing for construction; creating s.  
8           553.793, F.S.; providing definitions; providing  
9           applicability; requiring a local enforcement agency to  
10          offer for sale uniform basic permit labels to  
11          contractors; specifying a maximum price and providing  
12          exceptions; prohibiting a local enforcement agency  
13          from applying a certain condition to the purchase of a  
14          label; providing that permits expire after a specific  
15          time period; requiring contractors to post an unused  
16          label in a specified place before commencing work on a  
17          low-voltage alarm system project; requiring  
18          contractors to submit a Uniform Notice of a Low-  
19          Voltage Alarm System Project within a specified  
20          period; providing that failure to submit such notice  
21          may result in disciplinary action; prescribing a form  
22          for a Uniform Notice of a Low-Voltage Alarm System  
23          Project; authorizing a local enforcement agency to  
24          inspect; prohibiting municipalities, counties,  
25          districts, or other entities of local government from  
26          adopting or maintaining an ordinance or rule  
27          inconsistent with this section; providing that a label  
28          is not required for the subsequent maintenance,  
29          inspection, or service of a permitted alarm system;

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30 providing an effective date.

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

33  
34 Section 1. Subsection (14) of section 489.503, Florida  
35 Statutes, is amended, and subsection (23) is added to that  
36 section, to read:

37 489.503 Exemptions.—This part does not apply to:

38 (14) ~~(a)~~ The sale of, installation of, repair of, alteration  
39 of, addition to, or design of electrical wiring, fixtures,  
40 appliances, thermostats, apparatus, raceways, computers,  
41 customer premises equipment, customer premises wiring, and  
42 conduit, or any part thereof, by an employee, contractor,  
43 subcontractor, or affiliate of a company operating under a  
44 certificate issued under chapter 364 or chapter 610, or under a  
45 local franchise or right-of-way agreement, if ~~when~~ those items  
46 are for the purpose of transmitting data, voice, video, or other  
47 communications, or commands as part of a cable television,  
48 community antenna television, ~~or~~ radio distribution,  
49 communications, or telecommunications system. ~~The scope of this~~  
50 ~~exemption is limited to electrical circuits and equipment~~  
51 ~~governed by the applicable provisions of Articles 725 (Classes 2~~  
52 ~~and 3 circuits only), 770, 800, 810, and 820 of the National~~  
53 ~~Electrical Code, current edition, or 47 C.F.R. part 68.~~

54 ~~(b) The installation of, repair of, alteration of, addition~~  
55 ~~to, or design of electrical wiring, fixtures, appliances,~~  
56 ~~thermostats, apparatus, raceways, and conduit, or any part~~  
57 ~~thereof, when those items are for the purpose of transmitting~~  
58 ~~data, voice communications, or commands as part of a system of~~

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59 ~~telecommunications, including computers, telephone customer~~  
60 ~~premises equipment, or premises wiring. The scope of this~~  
61 ~~exemption is limited to electrical circuits and equipment~~  
62 ~~governed by the applicable provisions of Articles 725 (Classes 2~~  
63 ~~and 3 circuits only), 770, 800, 810, and 820 of the National~~  
64 ~~Electrical Code, current edition, or 47 C.F.R. part 68. An~~  
65 ~~employee, subcontractor, contractor, or affiliate of a company~~  
66 ~~that operates under a certificate issued ~~certified~~ under chapter~~  
67 ~~364 or chapter 610, or under a local franchise or right-of-way~~  
68 ~~agreement is not subject to any local ordinance that requires a~~  
69 ~~permit for work performed by its employees related to low-~~  
70 ~~voltage low voltage electrical work, including related technical~~  
71 ~~codes, and regulations, and licensure. The scope of this~~  
72 ~~exemption is limited to electrical circuits and equipment~~  
73 ~~governed by the applicable provisions of Articles 725 (Classes 2~~  
74 ~~and 3 circuits only), 770, 800, 810, and 820 of the National~~  
75 ~~Electrical Code, current edition, or 47 C.F.R. part 68. The~~  
76 ~~exemption in this paragraph shall apply only if such work is~~  
77 ~~requested by the company's customer, is required in order to~~  
78 ~~complete phone service, is incidental to provision of~~  
79 ~~telecommunication service as required by chapter 364, and is not~~  
80 ~~the subject of a competitive bid. The definition of "employee"~~  
81 ~~established in subsection (1) applies to this exemption and does~~  
82 ~~not include subcontractors.~~

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

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

87 (b) Is not granted access to passwords or codes that can be

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88 used to arm or disarm the system installed at specific end-user  
89 premises or, if working at an out-of-state location, the  
90 employee or sales representative with access to such passwords  
91 or codes has received a satisfactory fingerprint and background  
92 check from a state or federal agency.

93

94 This subsection may not be construed to limit the exemptions  
95 provided under subsection (6) or relieve a person of his or her  
96 obligation to comply with the applicable background check  
97 provisions of ss. 489.518 and 489.5185 for any onsite alarm  
98 sales.

99 Section 2. Section 553.793, Florida Statutes, is created to  
100 read:

101 553.793 Streamlined low-voltage alarm system installation  
102 permitting.-

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

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

108 (b) "Low-voltage alarm system project" means a project  
109 related to the installation, maintenance, inspection,  
110 replacement, or service of a new or existing alarm system, as  
111 defined in s. 489.505, operating at low voltage, as defined in  
112 the National Electrical Code Standard 70, Current Edition, and  
113 ancillary components or equipment attached to such a system,  
114 including, but not limited to, home-automation equipment,  
115 thermostats, and video cameras.

116 (2) Notwithstanding any provision of law, this section

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117 applies to low-voltage alarm system projects for which a permit  
118 is required by a local enforcement agency.

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

121 (4) A local enforcement agency shall make uniform basic  
122 permit labels available for purchase by a contractor to be used  
123 for the installation or replacement of a new or existing alarm  
124 system at a cost of not more than \$55 per label per project. A  
125 local enforcement agency that charges more than \$55 for such  
126 permit before January 1, 2013, may continue to charge the same  
127 amount for a uniform basic permit label until January 1, 2015,  
128 if the fee does not exceed \$175. A local enforcement agency  
129 charging more than \$175 for such a permit before January 1,  
130 2013, may charge a maximum of \$175 for a uniform basic permit  
131 label until January 1, 2015.

132 (a) A local enforcement agency may not require a  
133 contractor, as a condition of purchasing a label, to submit  
134 information other than identification information of the  
135 licensee and proof of registration or certification as a  
136 contractor.

137 (b) A label is valid for 1 year after the date of purchase  
138 and may only be used within the jurisdiction of the local  
139 enforcement agency that issued the label. A contractor may  
140 purchase labels in bulk for one or more unspecified current or  
141 future projects.

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

145 (6) A contractor is not required to notify the local

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146 enforcement agency before commencing work on a low-voltage alarm  
 147 system project. However, a contractor must submit a Uniform  
 148 Notice of a Low-Voltage Alarm System Project, as provided under  
 149 subsection (7), to the local enforcement agency within 14 days  
 150 after completing the project. A local enforcement agency may  
 151 take disciplinary action against a contractor who fails to  
 152 timely submit a Uniform Notice of a Low-Voltage Alarm System  
 153 Project.

154 (7) The Uniform Notice of a Low-Voltage Alarm System  
 155 Project may be submitted electronically or by facsimile if all  
 156 submissions are signed by the owner, tenant, contractor, or  
 157 authorized representative of such persons. The Uniform Notice of  
 158 a Low-Voltage Alarm System Project must contain the following  
 159 information:

161 UNIFORM NOTICE OF A LOW-VOLTAGE ALARM SYSTEM PROJECT

- 162 Owner's or Customer's Name.....
- 163 Owner's or Customer's Address.....
- 164 Fee Simple Titleholder's Name (If different from above).....
- 165 Fee Simple Titleholder's Address (If different from above).....
- 166 City.....
- 167 State..... Zip.....
- 168 Phone Number.....
- 169 E-mail Address.....
- 170 Contractor's Name.....
- 171 Contractor's Address.....
- 172 City.....
- 173 State..... Zip.....
- 174 Phone Number.....

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175 Contractor's License Number.....

176 Date Project Completed.....

177 Scope of Work.....

178

179 Notice is hereby given that a low-voltage alarm system project  
180 has been completed at the address specified above. I certify  
181 that all of the foregoing information is true and accurate.

182 ...(Signature of Owner, Tenant, Contractor, or Authorized  
183 Representative)...

184 (8) A low-voltage alarm system project may be inspected by  
185 the local enforcement agency to ensure compliance with  
186 applicable codes and standards. If a low-voltage alarm system  
187 project fails an inspection, the contractor must take corrective  
188 action as necessary to pass inspection.

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

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

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

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