

1                                   A bill to be entitled  
 2           An act relating to low-voltage systems; amending s.  
 3           489.503, F.S.; revising an exemption from licensure  
 4           related to low-voltage electrical work performed by  
 5           certain persons and entities; exempting from licensure  
 6           certain employees and sales representatives of alarm  
 7           system contractors; providing for construction;  
 8           creating s. 553.793, F.S.; providing definitions;  
 9           providing for applicability; requiring local  
 10          enforcement agencies to offer for sale uniform basic  
 11          permit labels to contractors for a specified cost;  
 12          requiring contractors to post an unused label in a  
 13          specified place before commencing work on a low-  
 14          voltage alarm system project; requiring contractors to  
 15          submit a Uniform Notice of a Low-Voltage Alarm System  
 16          Project within a specified period; prescribing a form  
 17          for such notice; providing inspection procedures and  
 18          requirements for low-voltage alarm system projects;  
 19          prohibiting specified local governments from adopting  
 20          or maintaining certain ordinances and rules; providing  
 21          that an additional uniform basic permit label shall  
 22          not be required to perform work on certain alarm  
 23          systems; providing for applicability; providing an  
 24          effective date.

25  
 26   Be It Enacted by the Legislature of the State of Florida:

27  
 28           Section 1.   Subsection (14) of section 489.503, Florida

29 Statutes, is amended, and subsection (23) is added to that  
 30 section, to read:

31 489.503 Exemptions.—This part does not apply to:

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

48 ~~(b)~~ An employee, subcontractor, contractor, or affiliate  
 49 of ~~The installation of, repair of, alteration of, addition to,~~  
 50 ~~or design of electrical wiring, fixtures, appliances,~~  
 51 ~~thermostats, apparatus, raceways, and conduit, or any part~~  
 52 ~~thereof, when those items are for the purpose of transmitting~~  
 53 ~~data, voice communications, or commands as part of a system of~~  
 54 ~~telecommunications, including computers, telephone customer~~  
 55 ~~premises equipment, or premises wiring. ~~The scope of this~~~~  
 56 ~~exemption is limited to electrical circuits and equipment~~

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

82 (23) An employee or sales representative of an alarm  
83 system contractor if he or she:

84 (a) Does not alter, install, maintain, move, or repair

85 alarm systems on end-user premises; and

86 (b) Is not granted access to passwords or codes that can  
 87 be used to arm or disarm alarm systems installed on specific  
 88 end-user premises, or, if working at an out-of-state location,  
 89 has received a satisfactory fingerprint and background check  
 90 from a state or federal agency.

91  
 92 This subsection shall not be construed to limit the exemptions  
 93 provided in subsection (6) or relieve a person of his or her  
 94 obligation to comply with the applicable background check  
 95 provisions of ss. 489.518 and 489.5185 for any onsite alarm  
 96 sales.

97 Section 2. Section 553.793, Florida Statutes, is created  
 98 to read:

99 553.793 Streamlined low-voltage alarm system installation  
 100 permitting.-

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

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

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

113 thermostats, and video cameras.

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

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

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

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

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

140 (5) A contractor shall post an unused uniform basic permit

141 label in a conspicuous place on the premises of the low-voltage  
 142 alarm system project site before commencing work on the project.

143 (6) A contractor is not required to notify the local  
 144 enforcement agency before commencing work on a low-voltage alarm  
 145 system project. However, a contractor must submit a Uniform  
 146 Notice of a Low-Voltage Alarm System Project as provided under  
 147 subsection (7) to the local enforcement agency within 14 days  
 148 after completing the project. A local enforcement agency may  
 149 take disciplinary action against a contractor who fails to  
 150 timely submit a Uniform Notice of a Low-Voltage Alarm System  
 151 Project.

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

158 UNIFORM NOTICE OF A LOW-VOLTAGE ALARM SYSTEM PROJECT

- 159 Owner's or Customer's Name.....
- 160 Owner's or Customer's Address.....
- 161 City.....
- 162 State..... Zip.....
- 163 Phone Number.....
- 164 E-mail Address.....
- 165 Contractor's Name.....
- 166 Contractor's Address.....
- 167 City.....
- 168 State..... Zip.....

169 Phone Number.....  
 170 Contractor's License Number.....  
 171 Date Project Completed.....  
 172 Scope of Work.....  
 173 Notice is hereby given that a low-voltage alarm system project  
 174 has been completed at the address specified above. I certify  
 175 that all of the foregoing information is true and accurate.  
 176 ...(Signature of Owner, Tenant, Contractor, or Authorized  
 177 Representative)...

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

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

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

190 Section 3. The provisions of this act are not intended to  
 191 impose new or additional licensure requirements on persons  
 192 licensed in accordance with the applicable provisions of chapter  
 193 489, Florida Statutes.

194 Section 4. This act shall take effect October 1, 2013.