

By the Committee on Banking and Insurance; and Senator Wise

597-2365-06

1 A bill to be entitled  
2 An act relating to electrical and alarm system  
3 contracting; amending s. 489.503, F.S.;  
4 exempting persons who install or repair  
5 lightning rods from electrical and alarm system  
6 contractor licensing provisions; amending s.  
7 489.505, F.S.; revising definitions; amending  
8 s. 489.513, F.S.; providing eligibility  
9 requirements for registering with the  
10 Department of Business and Professional  
11 Regulation as an electrical contractor or alarm  
12 system contractor; amending s. 489.529, F.S.;  
13 requiring a central monitoring station to  
14 employ call-verification methods under certain  
15 circumstances; amending s. 489.530, F.S.;  
16 exempting a fire alarm system from the  
17 requirement that it have a device that  
18 automatically terminates its audible signal  
19 after a certain period; providing an effective  
20 date.

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22 Be It Enacted by the Legislature of the State of Florida:  
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24 Section 1. Subsection (21) is added to section  
25 489.503, Florida Statutes, to read:

26 489.503 Exemptions.--This part does not apply to:  
27 (21) Any person who installs or repairs lightning rods  
28 or related systems.

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

31 489.505 Definitions.--As used in this part:

1           (2) "Alarm system contractor" means a person whose  
2 business includes the execution of contracts requiring the  
3 ability, experience, science, knowledge, and skill to lay out,  
4 fabricate, install, maintain, alter, repair, monitor, inspect,  
5 replace, or service alarm systems for compensation, including,  
6 but not limited to, all types of alarm systems for all  
7 purposes. This term also means any person, firm, or  
8 corporation that engages in the business of alarm contracting  
9 under an expressed or implied contract; that undertakes,  
10 offers to undertake, purports to have the capacity to  
11 undertake, or submits a bid to engage in the business of alarm  
12 contracting; or that by itself or by or through others engages  
13 in the business of alarm contracting.

14           (a) "Alarm system contractor I" means an alarm system  
15 contractor whose business includes all types of alarm systems  
16 for all purposes.

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

20           (7) "Certified alarm system contractor" means an alarm  
21 system contractor who possesses a certificate of competency  
22 issued by the department. The scope of certification is  
23 limited to alarm circuits originating in the alarm control  
24 panel and equipment governed by the applicable provisions of  
25 Articles 725, 760, 770, 800, and 810 of the National  
26 Electrical Code, Current Edition, and National Fire Protection  
27 Association Standard 72, Current Edition. The scope of  
28 certification for alarm system contractors also includes the  
29 installation, repair, fabrication, erection, alteration,  
30 addition, or design of electrical wiring, fixtures,  
31 appliances, thermostats, apparatus, raceways, and conduit, or

1 | any part thereof not to exceed 98 volts (RMS) ~~77 volts~~, when  
2 | those items are for the purpose of transmitting data or  
3 | proprietary video (satellite systems that are not part of a  
4 | community antenna television or radio distribution system) or  
5 | providing central vacuum capability or electric locks;  
6 | however, this provision governing the scope of certification  
7 | does not create any mandatory licensure requirement.

8 |         (25) "Burglar alarm system agent" means a person:

9 |             (a) Who is employed by a licensed alarm system  
10 | contractor or licensed electrical contractor;

11 |             (b) Who is performing duties which are an element of  
12 | an activity which constitutes alarm system contracting  
13 | requiring licensure under this part; and

14 |             (c) Whose specific duties include any of the  
15 | following: altering, installing, maintaining, moving,  
16 | repairing, replacing, servicing, selling ~~onsite~~, or monitoring  
17 | an intrusion or burglar alarm system for compensation.

18 |         (27) "Monitoring" means to receive electrical or  
19 | electronic signals~~7~~ originating from any structure building  
20 | within the state or outside the state, regardless of whether  
21 | those signals are relayed through a jurisdiction outside the  
22 | state, where such signals are~~7~~ produced by any security,  
23 | medical, fire, or burglar alarm, closed circuit television  
24 | camera, access-control system, or related or similar  
25 | protective system and are intended by design to initiate a  
26 | response thereto. A person shall not have committed the act  
27 | of monitoring if:

28 |             (a) The person is an occupant of, or an employee  
29 | working within, protected premises;

30 |             (b) The person initiates emergency action in response  
31 | to hearing or observing an alarm signal;

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

3 (d) The person is not employed in a proprietary  
4 monitoring facility, as defined by the National Fire  
5 Protection Association pursuant to rule adopted under chapter  
6 633.

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

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

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

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

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

19 489.513 Registration; application; requirements.--

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

25 (a) Be at least 18 years old;

26 (b) Be of good moral character; and

27 (c) Meet eligibility requirements according to the  
28 following criteria:

29 1. As used in this subsection, the term "good moral  
30 character" means a personal history of honesty, fairness, and  
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1 respect for the rights of others and for state and federal  
2 law.

3 2. The board may determine that an individual applying  
4 for registration is ineligible due to failure to satisfy the  
5 requirement of good moral character only if:

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

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

11 3. When an individual is found to be unqualified  
12 because of lack of good moral character, the board must  
13 furnish such individual a statement containing the findings of  
14 the board, a complete record of evidence upon which the  
15 determination was based, and a notice of the rights of the  
16 individual to a rehearing and an appeal.

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

19 489.529 Alarm verification calls required.--All  
20 residential or commercial intrusion/burglary alarms that have  
21 central monitoring must have a central monitoring verification  
22 call made to the premises generating the alarm signal, prior  
23 to alarm monitor personnel contacting a law enforcement agency  
24 for alarm dispatch. The central monitoring station must employ  
25 call-verification methods for the premises generating the  
26 alarm signal if the first call is not answered. However, if  
27 the intrusion/burglary alarms have properly operating visual  
28 or auditory sensors that enable the monitoring personnel to  
29 verify the alarm signal, verification calling is not required.

30 Section 5. Section 489.530, Florida Statutes, is  
31 amended to read:

1           489.530 Audible alarms.--Every audible alarm system  
2 installed by a licensed contractor shall have a device to  
3 automatically terminate the audible signal within 15 minutes  
4 of activation. A fire alarm system, whether installed  
5 voluntarily or as a requirement of an adopted code, which  
6 employs an audible fire signal is exempt as required by such  
7 code.

8           Section 6. This act shall take effect July 1, 2006.  
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10                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
11                               COMMITTEE SUBSTITUTE FOR  
12                                       Senate Bill 744

- 13 1. Exempts persons who install or repair lightning rods or  
14 related systems from licensure as electrical or alarm  
15 system contractors under part II of chapter 489, F.S.  
16 2. Removes inspection responsibilities from contractor  
17 definitions.  
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