

By the Committees on Criminal Justice; and Regulated Industries;
and Senator Lee

591-04364-13

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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 ~~scope of this exemption is limited to employees, contractors,~~
77 ~~and subcontractors of companies that are certified under chapter~~
78 ~~364 or chapter 610, including any affiliates of such companies,~~
79 ~~or operating under a local franchise or right-of-way agreement.~~
80 ~~This subsection does not relieve a person from licensure as an~~
81 ~~alarm system contractor. The exemption in this paragraph shall~~
82 ~~apply only if such work is requested by the company's customer,~~
83 ~~is required in order to complete phone service, is incidental to~~
84 ~~provision of telecommunication service as required by chapter~~
85 ~~364, and is not the subject of a competitive bid. The definition~~
86 ~~of "employee" established in subsection (1) applies to this~~
87 ~~exemption and does not include subcontractors.~~

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

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

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

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

104 Section 2. Section 553.793, Florida Statutes, is created to
105 read:

106 553.793 Streamlined low-voltage alarm system installation
107 permitting.-

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

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

113 (b) "Low-voltage alarm system project" means a project
114 related to the installation, maintenance, inspection,
115 replacement, or service of a new or existing alarm system, as
116 defined in s. 489.505, operating at low voltage, as defined in

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117 the National Electrical Code Standard 70, Current Edition, and
118 ancillary components or equipment attached to such a system,
119 including, but not limited to, home-automation equipment,
120 thermostats, and video cameras.

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

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

126 (4) A local enforcement agency shall make uniform basic
127 permit labels available for purchase by a contractor to be used
128 for the installation or replacement of a new or existing alarm
129 system at a cost of not more than \$55 per label per project. A
130 local enforcement agency that charges more than \$55 for such
131 permit before January 1, 2013, may continue to charge the same
132 amount for a uniform basic permit label until January 1, 2015,
133 if the fee does not exceed \$175. A local enforcement agency
134 charging more than \$175 for such a permit before January 1,
135 2013, may charge a maximum of \$175 for a uniform basic permit
136 label until January 1, 2015.

137 (a) A local enforcement agency may not require a
138 contractor, as a condition of purchasing a label, to submit
139 information other than identification information of the
140 licensee and proof of registration or certification as a
141 contractor.

142 (b) A label is valid for 1 year after the date of purchase
143 and may only be used within the jurisdiction of the local
144 enforcement agency that issued the label. A contractor may
145 purchase labels in bulk for one or more unspecified current or

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146 future projects.

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

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

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

166 UNIFORM NOTICE OF A LOW-VOLTAGE ALARM SYSTEM PROJECT

167 Owner's or Customer's Name.....

168 Owner's or Customer's Address.....

169 City.....

170 State..... Zip.....

171 Phone Number.....

172 E-mail Address.....

173 Contractor's Name.....

174 Contractor's Address.....

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175 City.....
 176 State..... Zip.....
 177 Phone Number.....
 178 Contractor's License Number.....
 179 Date Project Completed.....
 180 Scope of Work.....

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

185 ...(Signature of Owner, Tenant, Contractor, or Authorized
 186 Representative)...

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

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

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

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

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