

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 473 Intrusion and Burglar Alarms
SPONSOR(S): Sullivan
TIED BILLS: IDEN./SIM. **BILLS:** SB 822

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Careers & Competition Subcommittee	13 Y, 0 N	Wright	Anstead
2) Commerce Committee			

SUMMARY ANALYSIS

Florida requires alarm systems to be installed and monitored by licensed alarm system contractors. Neither Florida Statutes nor the Florida Building Code require alarm system registration. However, some local jurisdictions require alarm systems to be registered in order to provide law enforcement with information in the event an alarm is triggered.

Most alarm system companies monitor alarm systems through central monitoring systems or a central monitoring station. When an alarm is triggered, a signal is generated alerting the monitoring station of an intrusion or emergency. Upon notification that an alarm indicating an intrusion or burglary has been triggered, the monitoring personnel must make verification calls to the premises to confirm that it is not a false alarm prior to contacting a law enforcement agency for dispatch.

However, verification calls are not required if the alarm system has visual or auditory sensors that enable the monitoring personnel to verify the cause of the alarm in real time. If alarm system monitoring personnel can see or hear a break in or other emergency in progress via video or audio monitoring devices, a verification call to the premises is not required and alarm system personnel immediately contact law enforcement.

The bill creates an additional exception to the verification call requirement. Verification calls by alarm system monitoring personnel will no longer be required if the alarm signal is generated from premises used for the storage of firearms and ammunition by a licensed federal firearms manufacturer, importer, or dealer.

The bill may have a negative fiscal impact on local jurisdictions.

The bill gives an effective date of July 1, 2017.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Alarm Systems, Alarm System Contractors, and Registration

An “alarm system” is defined as “any electrical device, signaling device, or combination of electrical devices used to signal or detect a burglary, fire, robbery, or medical emergency.”¹

Many alarm system contractors install alarm systems that are monitored by a central monitoring system or station (CMS). Generally, a CMS is a facility that receives signals from alarm systems and at which personnel are in constant attendance.² In Florida, because they monitor alarm systems, CMSs must be licensed alarm system contractors, subject to regulation and discipline by the Electrical Contractors’ Licensing Board under the Florida Department of Business and Professional Regulation.³

There is no current state-wide requirement to register any information related to alarm systems, but some local enforcement agencies⁴ have implemented alarm system registrations.⁵ Local enforcement agencies have varied registration requirements that typically include contact information for the homeowner or occupant registering the alarm system, the alarm contractor, and an emergency contact.⁶ Local enforcement agencies differ as to whether the property owner or alarm system contractor is required to register an alarm system.

Failure to register an alarm system may result in a fine on the property owner, alarm system contractor, or both. Not all local enforcement agencies require registration fees, but the fees for those that do vary across the state. Fines for excessive alarms also vary by local enforcement agency. There have been reports that some local enforcement agencies will not dispatch a response team in response to an alarm if the alarm system has not been registered.⁷

Verification Calls

A false alarm is a false intrusion or burglar alarm signal stemming from causes not connected with an intrusion or burglary, such as user error (e.g. inputting incorrect alarm keypad codes), faulty equipment, poor installation, and bad weather. Between 94 and 98 percent of alarm calls are false. Each false alarm requires approximately 20 minutes of two police officers’ time.⁸

Most jurisdictions across the country, including Florida, require a CMS to make a first verification call to the premises with an activated alarm system before contacting a law enforcement agency to ensure the alarm signal is not false, which reduces false alarm calls to law enforcement agencies by 75 percent.⁹ If

¹ s. 489.505(1), F.S.

² Central Station Alarm Association, ALARM CONFIRMATION, VERIFICATION, AND NOTIFICATION PROCEDURES 4 (2016).

³ s. 489.505(2), F.S.

⁴ A “local enforcement agency” is an agency of local government, a local school board, a community college board of trustees, or a university board of trustees in the State University System with jurisdiction to make inspections of buildings and to enforce the codes which establish standards for design, construction, erection, alteration, repair, modification, or demolition of public or private buildings, structures, or facilities. s. 553.71(5), F.S.

⁵ s. 553.7931(1), F.S.

⁶ E-mail from Jorge Chamizo, Floridian Partners, FW: HB 779 Alarm System Registration, regarding attachment from Xfinity Home (on file with Business & Professions Subcommittee) (Jan. 15, 2016); List of municipalities serviced by Florida Safeguard, http://floridasafeguard.com/?page_id=123 (last visited Jan. 15, 2016).

⁷ *Id.*

⁸ Rana Thompson, FALSE BURGLAR ALARMS 7, 9, 11 (2nd ed. 2011).

⁹ Security Industry Alarm Coalition, *Consumer Guide to ECV*, <http://siacinc.org/docs/Executive%20Overview.pdf> (last visited March 14, 2017).

the owner is not successfully contacted by the CMS during the initial call, Florida requires a second call by the CMS to another phone number associated with the premises, which further reduces false alarm calls to law enforcement agencies by 40 percent.¹⁰

Florida requires verification calling unless the alarm signal has been generated by an alarm system with audio or visual sensors which allow the CMS to verify the alarm signal. If alarm system monitoring personnel can verify an emergency situation via an alarm system that has audio or video equipment, a verification call is not required.

Federal Firearms Licenses and Firearm Theft

Federal law requires a federal firearms license (FFL) if a person is engaged in business as a firearms or ammunition dealer, manufacturer or importer.¹¹ Florida does not regulate gun shops or firearms dealers.

In 2015, there were 14,800 firearms reported lost or stolen nationwide from FFLs; there were 700 lost or stolen firearms reported in Florida.¹²

Although there are no federal or state security requirements for the storage of unloaded firearms by FFLs,¹³ the United States Department of Justice has prepared storage suggestions for FFLs to prevent firearm theft.¹⁴

Effect of the Bill

The bill makes an exception to the verification calling requirement made in response to an alarm signal. If the alarm signal was generated from a premises used by a FFL for storage of firearms and ammunition, verification calling is not required.

The bill clarifies that the verification call may be made to a telephone number associated with the premises generating the alarm signal.

B. SECTION DIRECTORY:

Section 1 Amends s. 489.529, F.S., to exempt locations used for storage of firearms or ammunition by a federal firearms licenseholder from the verification call requirement.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

¹⁰ It is estimated by the Florida Alarm Association (FAA) that Florida has seen a 40 percent reduction in false alarm calls since passing the second verification call requirement. Most alarm companies use automated dialing technology to make verification calls, which takes seconds to make. Caitlin Doornbos, *After break-in, gun shop owner seeks alarm law change*, Orlando Sentinel, August 26, 2016, available at <http://www.orlandosentinel.com/news/breaking-news/os-gun-shop-alarm-911-20160819-story.html>.

¹¹ United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, *Types of Federal Firearms Licenses (FFLs)*, <https://www.atf.gov/resource-center/types-federal-firearms-licenses-ffls> (last visited March 10, 2017).

¹² United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, *ATF Releases 2015 Federal Firearms License Theft and Loss Report*, <https://www.atf.gov/news/pr/atf-releases-2015-federal-firearms-licensee-theft-and-loss-report> (last visited March 10, 2017).

¹³ See s. 790.174, F.S. (The only requirement in Florida for storing firearms is related to loaded firearms which may come into contact with a minor, which must be kept in locked box, in a secured location, or with a trigger lock.)

¹⁴ United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, SAFETY AND SECURITY INFORMATION FOR FEDERAL FIREARMS LICENSEES 8 (2010).

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The bill may increase the number of false alarm calls to law enforcement agencies around the state.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill may require alarm companies to develop mechanisms to store and relay information about premises used by a FFL for storage of firearms and ammunition.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill does not require FFLs to identify themselves or notify alarm system contactors or companies that they are a FFL nor does the bill require alarm system monitoring companies or stations to maintain such information in a database.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES