

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Commerce and Tourism

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BILL: SB 822

INTRODUCER: Senator Hutson

SUBJECT: Intrusion and Burglar Alarms

DATE: April 14, 2017

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kraemer</u>	<u>McSwain</u>	<u>RI</u>	<b>Favorable</b>
2.	<u>Little</u>	<u>McKay</u>	<u>CM</u>	<b>Pre-meeting</b>
3.	_____	_____	<u>RC</u>	_____

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**I. Summary:**

SB 822 clarifies that residential and commercial intrusion/burglary alarms that have central monitoring are required to make a verification call to a “telephone number associated with the premises” generating an alarm signal, if the first verification call is not answered, prior to alarm monitor personnel contacting law enforcement.

The bill also creates an exception to the verification call requirement for an intrusion/burglary alarm that is installed on a premise used for the storage of firearms or ammunition by a federally licensed firearms manufacturer, importer, or dealer. Under the bill, alarm monitor personnel may contact law enforcement agencies without first making a verification call.

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

**II. Present Situation:**

An alarm system is “any electrical device, signaling device, or combination of electrical devices used to signal or detect a burglary, fire, robbery, or medical emergency.”<sup>1</sup> An alarm system includes home-automation equipment, thermostats, and video cameras. Part II of ch. 489, F.S., deals with the licensing of electrical and alarm system contractors who install such alarms.<sup>2</sup>

**Licensed Alarm System Contractors**

Florida law requires alarm system contractors to be licensed, have sufficient technical experience in the trade prior to licensure, and be tested on technical and business matters; the Electrical Contractors’ Licensing Board (ECLB) implements these functions under part II of ch. 489, F.S.<sup>3</sup>

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<sup>1</sup> Section 489.505(1), F.S.

<sup>2</sup> See ss. 489.501-.538, F.S. and ss. 489.551-.558, F.S.

<sup>3</sup> See ss. 489.507-.517, F.S.

An alarm system contractor is a person whose business includes the execution of contracts requiring the ability, experience, science, knowledge, and skill to conduct all alarm services for compensation, for all types of alarm systems for all purposes.<sup>4</sup> An alarm system contractor is also any person, firm, or corporation that engages in the business of alarm contracting, or that undertakes, offers to undertake, or submits a bid to engage in the business of alarm contracting.<sup>5</sup>

Alarm system contractors may also hold a certificate of competency issued by the Department of Business and Professional Regulation (department).<sup>6</sup> The scope of the certification is limited to specific alarm circuits and equipment, and the certificate is geographically unlimited.<sup>7</sup> An alarm system contractor is not required to obtain a certificate of competency.<sup>8</sup>

An alarm system contractor whose business includes all types of alarm systems for all purposes is designated as an “alarm system contractor I.” The practice area of an “alarm system contractor II” is identical except that it does not include fire alarm systems.<sup>9</sup>

### **Verification of Intrusion/Burglary Alarm Signals**

All residential or commercial intrusion/burglary alarms that have central monitoring must have a central monitoring verification call made to the premises generating the alarm signal, before alarm monitor personnel may contact a law enforcement agency for dispatch of law enforcement officers to the premises.<sup>10</sup> The central monitoring station must employ call-verification methods for the premises generating the alarm signal if the first call is not answered.<sup>11</sup> Verification calling is not required, however, if the intrusion/burglary alarms have properly operating visual or auditory sensors that enable the monitoring personnel to verify the alarm signal.<sup>12</sup>

### **Electrical and Alarm Standards**

Part IV of ch. 553, F.S., constitutes the Florida Building Codes Act (act). The act provides a mechanism for the uniform adoption, updating, amendment, interpretation, and enforcement of the Florida Building Code, consisting of a single set of documents that apply to the design, construction, erection, alteration, modification, repair, or demolition of public or private

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<sup>4</sup> See s. 489.505(2), F.S.

<sup>5</sup> *Id.*

<sup>6</sup> See ss. 489.505(4)-(8), F.S.

<sup>7</sup> Section 489.505(7), F.S. Specifically, the scope of the certification is limited to those circuits that originate in certain alarm control panels and equipment that is governed by the National Electrical Code, Current Edition, and National Fire Protection Association Standard 72, Current Edition, and includes the installation, repair, fabrication, erection, alteration, addition, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, and conduit, or any part thereof not to exceed 98 volts (RMS), when those items are for the purpose of transmitting data or proprietary video (satellite systems that are not part of a community antenna television or radio distribution system) or providing central vacuum capability or electric locks. RMS is the abbreviation for “root mean square,” a statistical term defined as the square root of mean square. See <http://www.practicalphysics.org/explaining-rms-voltage-and-current.html> (last visited Apr. 7, 2017).

<sup>8</sup> *Id.*

<sup>9</sup> See s. 489.505(2)(a) and (b), F.S.

<sup>10</sup> See s. 489.529, F.S.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

buildings, structures, or facilities, and to the enforcement of such requirements.<sup>13</sup> The Florida Building Code is adopted, modified, updated, interpreted, and maintained by the Florida Building Commission.<sup>14</sup>

Florida's minimum electrical and alarm requirements are based on the following standards:

- National Electrical Code, NFPA<sup>15</sup> No. 70;
- Underwriters' Laboratories, Inc. (UL), Standards for Safety, Electrical Lighting Fixtures, and Portable Lamps, UL 57 and UL 153;
- Underwriters' Laboratories, Inc., Standard for Electric Signs, UL 48;
- The provisions of the following which prescribe minimum electrical and alarm standards:
  - NFPA No. 56A, Inhalation Anesthetics;
  - NFPA No. 56B, Respiratory Therapy;
  - NFPA No. 56C, Laboratories in Health-related Institutions;
  - NFPA No. 56D, Hyperbaric Facilities;
  - NFPA No. 56F, Nonflammable Medical Gas Systems;
  - NFPA No. 72, National Fire Alarm Code; and
  - NFPA No. 76A, Essential Electrical Systems for Health Care Facilities;
- The rules and regulations of the Department of Health, entitled "Nursing Homes and Related Facilities Licensure;" and
- The minimum standards for grounding of portable electric equipment in Florida Administrative Code Rule Chapter 8C-27, as recommended by the Division of Workers' Compensation in the Department of Financial Services.<sup>16</sup>

### **Federal Firearms Licenses and Firearm Theft**

Individuals engaged in business as a firearms or ammunition dealer, manufacturer, or importer must obtain a federal firearms license.<sup>17</sup> The federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) notes that each year, it receives thousands of reports of theft or loss from federally licensed firearms dealers.<sup>18</sup> The steps that the ATF recommends to protect a firearms business include store design measures, after-hours security methods, reinforcement and narrowing of store door and window openings, alarm systems, and 24-hour video camera recording adequate to capture faces and features.<sup>19</sup>

<sup>13</sup> See s. 553.72(1), F.S., which also indicates that effective and reasonable protection for public safety, health, and general welfare at the most reasonable cost to the consumer is also intended.

<sup>14</sup> See s. 553.72(3), F.S.

<sup>15</sup> NFPA is the acronym for the National Fire Protection Association, which is an international nonprofit organization established in 1896. Its mission is to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating consensus codes, standards, research, training, and education. NFPA develops, publishes, and disseminates more than 300 consensus codes and standards intended to minimize the possibility and effects of fire and other risks. See <http://www.nfpa.org/about-nfpa> (last visited April 12, 2017).

<sup>16</sup> See s. 553.88, F.S.

<sup>17</sup> A list of federal firearms licensees in Florida is available at <https://www.atf.gov/firearms/listing-federal-firearms-licensees-ffls-2017> (last visited April 13, 2017).

<sup>18</sup> Bureau of Alcohol, Tobacco, Firearms, and Explosives, Learn About Firearms Safety and Security, available at <https://www.atf.gov/firearms/learn-about-firearms-safety-and-security> (last visited April 11, 2017).

<sup>19</sup> *Id.*

**III. Effect of Proposed Changes:**

The bill amends s. 489.529, F.S., to clarify that intrusion/burglary alarms that have central monitoring are required to make a verification call to a “telephone number associated with the premises” rather than to the premises before alarm monitor personnel may contact a law enforcement agency for alarm dispatch.

Under current law, verification calling is not required if the intrusion/burglary alarm has properly operating visual or auditory sensors that enable the alarm monitoring personnel to verify the alarm signal. The bill creates another exception to verification calling to allow central monitoring stations to contact law enforcement without a verification call if the intrusion/burglary alarm is installed on a premise used for the storage of firearms or ammunition by a person who holds a valid federal firearms license as a manufacturer, importer, or dealer of firearms or ammunition.

The bill provides for an effective date of July 1, 2017.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The bill provides for improved verification of an alarm signal generated at a residential or commercial premises with a centrally monitored intrusion/burglary alarm and should assist in reducing the number of alarm dispatch calls to law enforcement officers.

Law enforcement response times to premises used for the storage of firearms or ammunition may be reduced due to the elimination of the requirement for a central monitoring verification call prior to alarm monitor personnel contacting a law enforcement agency for dispatch to such premises.

**C. Government Sector Impact:**

Reductions in false alarm may reduce the costs of responses to intrusion/burglary alarms by local governments and law enforcement agencies.<sup>20</sup>

Reduction of false alarm calls may alleviate the associated burden to law enforcement agencies that must respond to premises generating intrusion/burglary alarms. Allowing verification calling to a telephone number associated with the premises that has a central monitoring alarm system (rather than a call to the premises generating the alarm signal) will reduce false alarms by permitting calls to persons who use cellular telephones and not landlines at the premises, and to third parties authorized to verify the validity of alarm signals generated at the premises.<sup>21</sup>

**VI. Technical Deficiencies:**

Line 27 of the bill refers to “a premises” rather than “a premise” or “the premises.”

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 489.529 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

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<sup>20</sup> For example, according to a 2014 press release by the City of St. Cloud Police Department: [i]n recent years, false alarms account for approximately 98% of all alarms to which the [St. Cloud Police Department] has had to respond. These false alarms divert law enforcement resources from crimes in progress, other emergency situations and time spent patrolling their beats. See <http://www.stcloud.org/index.aspx?NID=1066> (last visited Mar. 29, 2017).

<sup>21</sup> According to the Pew Research Center, 64% of Americans owned a smartphone in 2015, up from 58% in early 2014. See <http://www.pewinternet.org/2015/04/01/chapter-one-a-portrait-of-smartphone-ownership/> (last visited Mar. 29, 2017).