

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 1952
 SPONSOR: Regulated Industries Committee and Senator Bennett
 SUBJECT: Electrical/Alarm System Contracting
 DATE: March 27, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sumner</u>	<u>Imhof</u>	<u>RI</u>	<u>Favorable/CS</u>
2.	<u> </u>	<u> </u>	<u>CJ</u>	<u> </u>
3.	<u> </u>	<u> </u>	<u>AGG</u>	<u> </u>
4.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>
5.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
6.	<u> </u>	<u> </u>	<u> </u>	<u> </u>

I. Summary:

This bill requires that alarm system contractors and electrical contractors engaged in alarm systems contracting, who seek to renew their certificates or registrations, have 2 hours of false alarm prevention education as part of their continuing education requirements. It requires burglar alarm and fire alarm system agents to have two additional hours of training in false alarm prevention and expands the criminal background check of the agents to also go through the National Crime Information Center. It requires that licensed electrical or alarm system contractors furnish their burglar alarm system agents with a board approved identification card. The card is valid for two years and may be renewed subject to proof of compliance with continuing education requirements and an updated criminal background check. It provides for a second alarm verification call should the first call to the premises go unanswered.

This bill substantially amends the following sections of the Florida Statutes: 489.517, 489.518, 489.5185, and 489.529.

II. Present Situation:

Continuing Education

Subsection 489.517, F.S. requires that contractors licensed under parts I and II of ch. 489, F.S., who seek to renew their certificates or registrations, take 14 hours of continuing education during each biennium. The breakdown in hours is 7 hours on technical subjects, 1 hour on workers' compensation, 1 hour on workplace safety, and 1 hour on business practices, with the remaining 4 on electives chosen from board approved courses.

Alarm system agents

Subsection 489.518, F.S., regulates Burglar Alarm System agents. It requires that in order for a licensed electrical or alarm system contractor to employ an agent, the person must be 18 years of age and completed 12 hours of training in alarm system electronics and other related training. Persons who perform only monitoring or sales are not required to complete the training. It further requires that the employer obtain a fingerprint and background check on the agent from the Florida Department of Law Enforcement. It also permits the agent to work and complete the required training for 60 days under the supervision and control of a licensed electrical or burglar alarm contractor pending the results of the background check. The agent is required to carry a photo identification card identifying the agent and name and license of the contractor.

Fire alarm system agents

Subsection 489.5185, F.S., regulates Fire Alarm System agents. It requires that in order for a certified unlimited electrical contractor or licensed fire alarm contractor to employ a fire alarm system agent, the person must be 18 years of age, successfully completed a minimum of 18 hours of initial training that includes basic fire alarm system technology in addition to related training in National Fire Protection Association codes and standards. It further requires that the employer obtain a fingerprint and background check on the agent from the Florida Department of Law Enforcement. The alarm and fire alarm system agent is required to carry a board-approved photo identification card identifying the agent and name and license of the contractor.

Alarm verification calls required

Subsection 489.529, F.S. regulates alarm verification calls. 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, prior to alarm monitor personnel contacting law enforcement for alarm dispatch.

III. Effect of Proposed Changes:**Continuing Education**

The bill requires that alarm system contractors and electrical contractors engaged in alarm system contracting, who seek to renew their certificates or registrations, have 2 hours of false alarm prevention education as part of their continuing education requirements. The bill also changes the continuing education hours to 14 for both the burglar and fire alarm system agents.

According to the Department of Business and Professional Regulation (department), the requirement for certified or registered electrical and alarm contractors to obtain 2 hours of continuing education training may help reduce the high incidence of false alarms being experienced by law enforcement personnel. If the training exposes the contractors to the major reasons for false alarms and does in fact reduce the incidence of false alarms, this will allow for law enforcement personnel to respond to actual required assistance calls from the public. However, the department points out that the current bill language imposes 2 hours of “false alarm” training on all certified or registered electrical and alarm contractors, regardless of whether their businesses or licenses include alarm contracting.

Alarm system agents

The bill requires a burglar alarm system agent to complete at least 2 hours of false alarm prevention. The bill deletes the salesperson exemption from the 14 hours of continuing education required for agents. It requires that the employer have an additional background check on the agent through the National Crime Information Center. It requires an updated background check from the Florida Department of Law Enforcement for each agent who renews certification. It expands the period the agent may work and complete the required training from 60 days to 90 days pending the results of the background check. It also provides for the board to approve a format for an identification card. The card is valid for two years and may be renewed subject to proof of compliance with continuing education requirements and an updated criminal background check.

According to the department, the effect of salespersons being required to complete the training for burglar alarm system agents may provide a number of benefits to the public and the industry. A salesperson, with the knowledge and training in alarm systems, will be better versed in dealing with the public when presenting a system. The training should aid the agent in developing a system within the customer's desires instead of selling a generic system that may or may not meet the customer's particular situation.

The department points out that another benefit that may bring "peace of mind" to the customer will be the fact that an agent who has entered their private residence to do a survey for an alarm system has been screened and cleared through a more expansive background check. The background check through the National Crime Information Center provides a criminal history check outside of state boundaries.

The condition which allows the agent to work for 90 days and obtain a board approved identification card will mirror the same condition currently allowed for fire alarm system agents. Requiring the agent to have an updated background check from the Florida Department of Law Enforcement will "refresh" the background information. This will help ensure no illegal activity has occurred after initial and continued employment of the contractor.

Fire alarm system agents

The bill requires 2 hours of training in false alarm prevention which is included in the initial 14 hour training. It requires an additional background check through the National Crime Information Center. It also requires an updated background check from the Florida Department of Law Enforcement for each agent who renews certification.

According to the department, the requirement for fire alarm system agents to obtain 2 hours of training in false alarm prevention in the initial 14 hour training may aid the agent in better determining if an activated alarm is a genuine emergency or a fault of the system. Being better educated in the area, the agent's training may also aid in reducing the number of false alarms thus reducing the number of available law enforcement personnel for genuine emergencies. The new requirement for an additional background check through the National Crime Information Center will also, as in the case of the burglar agents, provide for a background check outside of state boundaries. This may help identify any criminal behavior that may preclude the individual from working as an alarm system agent. The effect of performing an updated background check in detecting any criminal behavior through the Florida Department of Law enforcement for

agents that renew their license, may aid in detecting any criminal behavior that may have occurred between initial and continued employment.

Alarm verification calls required

The bill requires for the central monitoring station for residential or commercial intrusion/burglary alarms to make a second call to the premises generating the alarm signal if the first call is not answered.

According to the department, once an alarm has been activated, the effect of allowing for the central monitoring station to place a second call to the premises if a first call is not answered may require more critical thought. There could be a situation in a true emergency where the individual requiring assistance cannot respond. The few seconds it takes to make a second call to verify an alarm activation may mean the difference between an individual receiving timely assistance or not. The current language in the proposed bill states that a second call should be made which may lead one to believe it is the discretion of the central monitoring station to make a second call or to dispatch law enforcement after a first call is made.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The department states that the bill will increase regulation of alarm system agents by requiring additional background checks and specific continuing education requirements for all licensees; however, the extent of the additional regulation is minimal. The department also states that the bill, as it relates to the department's purpose of protecting

health, safety, and welfare through its regulatory structure, may be linked to its long – range program plan and budget

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
