

## CHAPTER 2013-203

### Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 973

An act relating to low-voltage systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by certain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing for applicability; requiring local enforcement agencies to offer for sale uniform basic permit labels to contractors for a specified cost; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; prescribing a form for such notice; providing inspection procedures and requirements for low-voltage alarm system projects; prohibiting specified local governments from adopting or maintaining certain ordinances and rules; providing that an additional uniform basic permit label shall not be required to perform work on certain alarm systems; providing for applicability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (14) of section 489.503, Florida Statutes, is amended, and subsection (23) is added to that section, to read:

489.503 Exemptions.—This part does not apply to:

(14)(a) ~~The sale of, installation of, repair of, alteration of, addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, computers, customer premises equipment, customer premises wiring, and conduit, or any part thereof, by an employee, contractor, subcontractor, or affiliate of a company operating under a certificate issued under chapter 364 or chapter 610, or under a local franchise or right-of-way agreement, if when those items are for the purpose of transmitting data, voice, video, or other communications, or commands as part of a cable television, community antenna television, or radio distribution, communications, or telecommunications system. The scope of this exemption is limited to electrical circuits and equipment governed by the applicable provisions of Articles 725 (Classes 2 and 3 circuits only), 770, 800, 810, and 820 of the National Electrical Code, current edition, or 47 C.F.R. part 68.~~

(b) ~~An employee, subcontractor, contractor, or affiliate of The installation of, repair of, alteration of, addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, and conduit, or any part thereof, when those items are for the purpose of transmitting data, voice communications, or commands as part of a system of telecommunications, including computers, telephone customer premises equipment, or premises~~

wiring. ~~The scope of this exemption is limited to electrical circuits and equipment governed by the applicable provisions of Articles 725 (Classes 2 and 3 circuits only), 770, 800, 810, and 820 of the National Electrical Code, current edition, or 47 C.F.R. part 68. a company that operates under a certificate issued certified under chapter 364 or chapter 610, or under a local franchise or right-of-way agreement, is not subject to any local ordinance that requires a permit for work performed by its employees related to low-voltage low-voltage electrical work, including related technical codes, and regulations, and licensure. The scope of this exemption is limited to electrical circuits and equipment governed by the applicable provisions of Articles 725 (Classes 2 and 3 circuits only), 770, 800, 810, and 820 of the National Electrical Code, current edition, or 47 C.F.R. part 68, and employees, contractors, and subcontractors of companies, and affiliates thereof, operating under a certificate issued under chapter 364 or chapter 610 or under a local franchise or right-of-way agreement. This subsection does not relieve any person from licensure as an alarm system contractor. The exemption in this paragraph shall apply only if such work is requested by the company's customer, is required in order to complete phone service, is incidental to provision of telecommunication service as required by chapter 364, and is not the subject of a competitive bid. The definition of "employee" established in subsection (1) applies to this exemption and does not include subcontractors.~~

(23) An employee or sales representative of an alarm system contractor if he or she:

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

(b) Is not granted access to passwords or codes that can be used to arm or disarm alarm systems installed on specific end-user premises, or, if working at an out-of-state location, has received a satisfactory fingerprint and background check from a state or federal agency.

This subsection shall not be construed to limit the exemptions provided in subsection (6) or relieve a person of his or her obligation to comply with the applicable background check provisions of ss. 489.518 and 489.5185 for any onsite alarm sales.

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

553.793 Streamlined low-voltage alarm system installation permitting.

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

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

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

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

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

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

(4) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost of not more than \$55 per label per project per unit. However, a local enforcement agency charging more than \$55, but less than \$175, for such a permit as of January 1, 2013, may continue to charge the same amount for a uniform basic permit label until January 1, 2015. A local enforcement agency charging more than \$175 for such a permit as of January 1, 2013, may charge a maximum of \$175 for a uniform basic permit label until January 1, 2015.

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

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

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

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

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

UNIFORM NOTICE OF A LOW-VOLTAGE ALARM SYSTEM PROJECT

Owner’s or Customer’s Name.....

Owner’s or Customer’s Address.....

City.....

State..... Zip.....

Phone Number.....

E-mail Address.....

Contractor’s Name.....

Contractor’s Address.....

City.....

State..... Zip.....

Phone Number.....

Contractor’s License Number.....

Date Project Completed.....

Scope of Work.....

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

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

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

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

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

Section 3. The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of chapter 489, Florida Statutes.

Section 4. This act shall take effect October 1, 2013.

Approved by the Governor June 14, 2013.

Filed in Office Secretary of State June 14, 2013.