**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4491**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pope and Clyburn

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Introduced in the House on January 10, 2012

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Alarm system business

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/29/2011 Prefiled

11/29/2011 House Referred to Committee on **Labor, Commerce and Industry**

1/10/2012 House Introduced and read first time ([House Journal‑page 60](file:///h:\hj%20archive\2012\01-10-12.docx))

1/10/2012 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 60](file:///h:\hj%20archive\2012\01-10-12.docx))

**VERSIONS OF THIS BILL**

[11/29/2011](file:///p:\pprever\2011-12\4491_20111129.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑79‑225 SO AS TO REQUIRE AN ALARM BUSINESS TO EMPLOY A MEANS OF ALARM VERIFICATION FOR ALL BURGLAR ALARM SIGNALS THE ALARM BUSINESS RECEIVES, SUBJECT TO SPECIFIC EXCEPTIONS; AND TO AMEND SECTION 40‑79‑20, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA ALARM SYSTEMS ACT, SO AS TO DEFINE THE TERM “ALARM VERIFICATION”.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 79, Title 40 of the 1976 Code is amended by adding:

“Section 40‑79‑225. An alarm business shall employ a means of alarm verification for all burglar alarm signals the alarm business receives, except when concerning a:

(1) panic alarm;

(2) robbery‑in‑progress alarm; or

(3) situation in which a crime‑in‑progress signaled by an alarm is verified as being an authentic crime‑in‑progress by video means, audible means, or both, in which case the alarm business shall immediately refer the matter to the local 911 service.”

SECTION 2. Section 40‑79‑20 of the 1976 Code is amended to read:

“Section 40‑79‑20. ~~(A)~~ As used in this chapter:

(1) ‘Alarm business’ means an entity ~~that is~~ licensed by the South Carolina Contractor’s Licensing Board to engage in the burglar or fire alarm system business, or both.

(2) ‘Alarm verification’ means an attempt by an alarm business or its agent to contact an alarm site, alarm user, or both by telephone or other electronic means to verify the authenticity of a burglar alarm signal that the alarm business received from the alarm site. The purpose of requiring alarm verification is to avoid an unnecessary response from law enforcement. An alarm business may accomplish alarm verification by contacting secondary telephone numbers and other secondary means of electronic communication of the alarm user and alarm site after unsuccessfully attempting to contact the primary telephone numbers and other primary means of electronic communication of the alarm user and alarm site.

(~~2~~3) ‘Bid’ means an offer to furnish labor, equipment or materials, or other services regulated by this chapter.

(~~3~~4) ‘Board’ means the South Carolina Contractor’s Licensing Board.

(~~4~~5) ‘Burglar alarm system business’ means a person, firm, association, partnership, corporation, or other legal entity authorized by law and approved by the board that designs, installs, services, maintains, or alters burglar alarm systems and heat and smoke sensors installed within a burglar alarm system~~;~~. A burglar alarm system detects intrusion, burglary, and breaking or entering but does not include home health care signaling devices.

(~~5~~6) ‘Contractor’ means an entity licensed to engage in the burglar or fire alarm system business.

(~~6~~7) ‘Department’ means the Department of Labor, Licensing and Regulation.

(~~7~~8) ‘Entity’ means a sole proprietorship, partnership, limited liability partnership, limited liability company, association, joint venture, cooperative, corporation, or other legal entity authorized by law and approved by the board.

(~~8~~9) ‘Fire alarm system business’ means an individual, firm, association, partnership, corporation, or other legal entity authorized by law and approved by the board that designs, installs, services, maintains, or alters fire alarm systems.

(~~9~~10) ‘Individual’ means a natural person.

(~~10~~11) ‘Installs’ means activity or work which involves the set‑up, installation, or connection of alarm system equipment in any manner to a client’s property.

(~~11~~12) ‘Licensee’ means an alarm business that has been issued a license by the board pursuant to this chapter.

(~~12~~13) ‘Primary qualifying party’ means a qualifying party who is an owner, partner, or officer of a burglar alarm system business, or a full‑time employee holding a managerial or supervisory position within the alarm system business and who qualifies the licensee to engage in the burglar or fire alarm business and is registered as a qualifying party with the department in accordance with this chapter.

(~~13~~14) ‘Qualifying party’ means an individual, owner, partner, officer, or employee of an alarm system business who has met the necessary requirements of a qualifying party and is registered with the department in accordance with this chapter.

(~~14~~15) ‘Registered’ means an owner, partner, principle officer, qualifying party, or registered employee of an alarm business whose name and address has been listed or registered with the department as an individual who has access to a ~~client’s~~ property or burglar alarm records of a client that can reveal, but not be limited to, the type of burglar alarm system, burglar alarm security numbers or code, or any other information pertaining to the system that could compromise the ~~client’s~~ burglar alarm system of a client. This includes individuals who sell, install, or service a burglar alarm system at a client’s residence and a full‑time employee. Also included is a part‑time employee that has access to ~~customers’~~ records or files of a customer.

(~~15~~16) ‘Registered employee’ means an individual of an alarm system business who has not met the requirements of a qualifying party and is employed more than thirty days in any given calendar year and is registered with the department in accordance with this chapter.

(~~16~~17) ‘Administrative personnel’ means an individual ~~that~~ who performs daily office functions for the management of an alarm business.

(~~17~~18) ‘Monitoring personnel’ means an individual ~~that~~ who performs daily office functions observing the operation and activation of alarm systems from a monitoring station.

(~~18~~19) ‘Customer service personnel’ means an individual working for a licensed alarm entity that provides support for customer problems, complaints, questions, and concerns involving an alarm system.

(~~19~~20) ‘Alarm technician’ means an individual ~~that~~ who specializes in any activity or work related to the set‑up ~~or~~, installation, repair, alteration, or connection of an alarm system to a client’s property.”

SECTION 3. This act takes effect upon approval by the Governor.

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