**South Carolina General Assembly**

123rd Session, 2019-2020

**A31, R44, S109**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Massey

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Introduced in the Senate on January 8, 2019

Introduced in the House on March 27, 2019

Last Amended on March 21, 2019

Passed by the General Assembly on May 7, 2019

Governor's Action: May 13, 2019, Signed

Summary: SC Alarm System Business Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/12/2018 Senate Prefiled

 12/12/2018 Senate Referred to Committee on **Labor, Commerce and Industry**

 1/8/2019 Senate Introduced and read first time ([Senate Journal‑page 92](file:///h%3A%5Csj%5C20190108.docx))

 1/8/2019 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 92](file:///h%3A%5Csj%5C20190108.docx))

 3/19/2019 Senate Committee report: Favorable with amendment **Labor, Commerce and Industry** ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20190319.docx))

 3/20/2019 Scrivener's error corrected

 3/21/2019 Senate Committee Amendment Adopted ([Senate Journal‑page 33](file:///h%3A%5Csj%5C20190321.docx))

 3/21/2019 Senate Amended ([Senate Journal‑page 33](file:///h%3A%5Csj%5C20190321.docx))

 3/21/2019 Senate Read second time ([Senate Journal‑page 33](file:///h%3A%5Csj%5C20190321.docx))

 3/21/2019 Senate Roll call Ayes‑38 Nays‑0 ([Senate Journal‑page 33](file:///h%3A%5Csj%5C20190321.docx))

 3/26/2019 Senate Read third time and sent to House ([Senate Journal‑page 15](file:///h%3A%5Csj%5C20190326.docx))

 3/27/2019 House Introduced and read first time ([House Journal‑page 2](file:///h%3A%5Chj%5C20190327.docx))

 3/27/2019 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 2](file:///h%3A%5Chj%5C20190327.docx))

 4/30/2019 House Committee report: Favorable **Labor, Commerce and Industry** ([House Journal‑page 7](file:///h%3A%5Chj%5C20190430.docx))

 5/2/2019 House Read second time ([House Journal‑page 29](file:///h%3A%5Chj%5C20190502.docx))

 5/2/2019 House Roll call Yeas‑75 Nays‑5 ([House Journal‑page 29](file:///h%3A%5Chj%5C20190502.docx))

 5/7/2019 House Read third time and enrolled ([House Journal‑page 12](file:///h%3A%5Chj%5C20190507.docx))

 5/9/2019 Ratified R 44

 5/13/2019 Signed By Governor

 5/17/2019 Effective date 05/13/19

 5/21/2019 Act No.  31

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**VERSIONS OF THIS BILL**

[12/12/2018](file:///p%3A%5Cpprever%5C2019-20%5C109_20181212.docx)

[3/19/2019](file:///p%3A%5Cpprever%5C2019-20%5C109_20190319.docx)

[3/20/2019](file:///p%3A%5Cpprever%5C2019-20%5C109_20190320.docx)

[3/21/2019](file:///p%3A%5Cpprever%5C2019-20%5C109_20190321.docx)

[4/30/2019](file:///p%3A%5Cpprever%5C2019-20%5C109_20190430.docx)

(A31, R44, S109)

**AN ACT** **TO AMEND SECTION 40‑79‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, SO AS TO ADD A DEFINITION FOR “ELECTRIC FENCE”, TO ADD AND REVISE OTHER DEFINITIONS, AND TO MAKE TECHNICAL CORRECTIONS.**

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

**Alarm businesses, electric fences, definitions**

SECTION 1. Section 40‑79‑20 of the 1976 Code is amended to read:

 “Section 40‑79‑20. As used in this chapter:

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

 (2) ‘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.

 (3) ‘Alarm technician’ means an individual 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.

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

 (5) ‘Board’ means the South Carolina Contractor’s Licensing Board.

 (6) ‘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, including burglar alarm systems with an electric fence as defined herein, 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.

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

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

 (9) ‘Department’ means the Department of Labor, Licensing and Regulation.

 (10) ‘Electric fence’ means an electrified fence with a height not to exceed ten feet or two feet higher than the perimeter fence, whichever is higher, that is equipped with an energizer, driven by a commercial storage battery that does not exceed twelve volts DC. The electric charge produced by the fence upon contact must meet and may not exceed energizer characteristics that are tested against the International Electrotechnical Commission Standard. No electric fence shall be installed or used unless it is surrounded by a nonelectrical fence or wall that is not less than five feet high. Electric fences shall be permitted on any property that is not zoned exclusively for residential use. Electric fences shall be clearly identified with warning signs that read: ‘Warning ‑ Electric Fence’ at intervals of not more than sixty feet. ‘Electric fence’ does not mean an electrified fence erected for agricultural or wildlife habitat management purposes.

 (11) ‘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.

 (12) ‘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.

 (13) ‘Individual’ means a natural person.

 (14) ‘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.

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

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

 (17) ‘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.

 (18) ‘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.

 (19) ‘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 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. 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.

 (20) ‘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.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 9th day of May, 2019.

Approved the 13th day of May, 2019.

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