S T A T E O F N E W Y O R K

5034

2011-2012 Regular Sessions

I N A S S E M B L Y

February 10, 2011

Introduced by M. of A. COOK, CLARK -- Multi-Sponsored by -- M. of A. COLTON, WEISENBERG -- read once and referred to the Committee on Economic Development

AN ACT to amend the general business law, in relation to requiring a permit for security systems with a direct link to a local police agency

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 69-m of the general business law, as amended by chapter 575 of the laws of 1993, is amended to read as follows:

S 69-m. License required. 1. On and after October first, nineteen hundred ninety-two, no person shall engage in the business of installing, servicing or maintaining security or fire alarm systems or hold himself out as being able so to do unless he is licensed therefor pursuant to this article. Nothing herein shall prohibit a person licensed in accordance with the provisions of this article from employing individuals to assist in the installation, servicing or maintaining of security or fire alarm systems, provided such licensee issues identification cards on a form prescribed by the secretary of state to each unlicensed individual.

2. Notwithstanding the provisions of subdivision one of this section, a license shall not be required of a person to engage in the business of installing, servicing or maintaining security or fire alarm systems if such an alarm system is to be installed in a motor vehicle, water vessel or aircraft or is a battery-operated smoke detection device. [Furthermore]

3. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, a property owner or proprietor who purchases or owns an alarm system to be installed by him or his employees onto his property or place of business shall not fall under the provisions of this article PROVIDED, HOWEVER, THAT WHERE A PROPERTY OWNER OR PROPRIETOR WISHES TO INSTALL OR

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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HAVE INSTALLED A SECURITY SYSTEM WHICH HAS A DIRECT LINK TO A LOCAL POLICE AGENCY HE OR SHE SHALL FIRST OBTAIN A PERMIT FROM SUCH POLICE AGENCY BEFORE DOING SO.

4. A LOCAL POLICE AGENCY IS AUTHORIZED TO IMPOSE FINES AGAINST PROPERTY OWNERS OR PROPRIETORS WHERE SECURITY SYSTEMS WITH A DIRECT LINK TO SUCH LOCAL POLICE AGENCY CAUSE POLICE TO RESPOND TO FALSE ALARMS. SUCH FINES MAY ONLY BE IMPOSED AFTER A SHOWING THAT A POLICE AGENCY HAS RESPONDED TO FALSE ALARMS ON AT LEAST THREE PRIOR OCCASIONS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law, provided, however that any rules or regulations necessary for the timely implementation of the provisions of this act are authorized to be completed on or before such effective date.