STATE OF NEW YORK

5202

2023-2024 Regular Sessions

IN SENATE

February 27, 2023

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to fines for false alarms by an alarm system

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 69-l of the general business law is amended by adding four new subdivisions 6, 7, 8 and 9 to read as follows:

6. "Alarm system" means a system installed to detect intrusion, break-in, movement, sound or fire.

7. "False alarm" means the activation of any alarm system that results in a request for police or fire or other emergency for which the responding public safety agency finds no evidence of criminal activity, fire, or emergency.

8. "Municipality" means a county, town, city or village.

9. "Alarm system company" means a company licensed to engage in the business of installing, servicing, or maintaining security or fire alarm systems pursuant to this article.

§ 2. The general business law is amended by adding a new section 69-vvv to read as follows:

§ 69-vvv. Fines for false alarms. 1. Notwithstanding any other provision of law, a municipality may enact, adopt or enforce any ordinance, resolution or regulation requiring any alarm system company to pay for or be responsible for any fines, fees or other penalties relative to false alarms only when the false alarm is attributed to a deficiency in the alarm system or an error of the alarm system company or central station. Nothing in this section shall prevent a municipality from imposing any fine, fee or other penalties for a false alarm when such false alarm is attributable to, or caused by, the property owner, lessee, occupant or other person or persons.

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

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2. An alarm company operator or an alarm agent shall not be liable for civil penalties and fines assessed or imposed by a municipality for false alarms not attributed to alarm company operator error, improper installation of the alarm system by an alarm agent or an alarm company operator, defective equipment provided or installed by an alarm agent or an alarm company operator, defective equipment leased by an alarm company operator, or equipment that was not deficient upon installation or provision for use to the end-user but resulted in a deficiency due to normal wear and tear.

§ 3. This act shall take effect immediately.