

SENATE BILL No. 985

June 11, 2014, Introduced by Senator BOOHER and referred to the Committee on Regulatory Reform.

A bill to amend 2012 PA 580, entitled
"Security alarm systems act,"
by amending section 2 (MCL 338.2182).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Alarm system" means any mechanical or electrical device,
3 including an electronic access control system, a video monitoring
4 system, a burglar alarm system, smoke detectors, or any other
5 electronic system that is designed to emit an audible alarm or
6 transmit a signal or message to a central monitoring station if it
7 is activated and that is used to detect an unauthorized entry into
8 a protected premises or alert other persons of the occurrence of a

1 fire or medical emergency or the commission of an unlawful act
2 against a person or in a protected premises. The term includes, but
3 is not limited to, a silent, panic, holdup, robbery, duress,
4 burglary, medical alert, or proprietor alarm that signals a central
5 monitoring station.

6 (b) "Applicant" means a person for which a registration
7 statement is filed under section 3.

8 (c) "Background check" means a criminal history check
9 administered by a public or private entity that examines federal
10 and state government records in a manner that allows for the
11 successful identification of the criminal offenses listed in
12 section 4(3)(c).

13 (d) "Department" means department of licensing and regulatory
14 affairs.

15 (e) "Local unit of government" means a city, county, village,
16 or township, or a special district designated by law that exercises
17 limited government powers or powers in respect to limited
18 government subjects.

19 (f) "Operator" means an employee or independent contractor who
20 performs alarm operator, dispatcher, or monitor functions for a
21 security alarm system at a central monitoring station. The term
22 does not include a system user who receives signals or messages
23 about his or her own security alarm system.

24 (g) "Person" means an individual, partnership, corporation,
25 limited liability company, or other legal entity.

26 (h) "Protected premises" means a location at or in which a
27 system user's security alarm system is installed and maintained.

1 (i) "Registrant" means a person that is registered by the
2 department as a system provider.

3 (j) "Registration" means a registration that is issued by the
4 department.

5 (k) "Remote monitoring" means the retransmission of
6 information received from a security alarm system to a central
7 monitoring system.

8 (l) "Security alarm system" means a detection device or an
9 assembly of equipment and devices that transmits signals to a
10 central monitoring station and is arranged to signal the presence
11 of a hazard that requires urgent attention or to which police are
12 expected to respond. The term includes any electronic system that
13 transmits signals to a central monitoring station and monitors or
14 records various components designed to detect or prevent
15 burglaries, intrusions, theft, or robbery of the protected
16 premises, including, but not limited to, an intrusion detection
17 system, video monitoring or recording system, access control
18 system, and 1-way or 2-way audio monitoring systems. The term does
19 not include a fire alarm system or an alarm system that monitors
20 temperature, humidity, or other condition that is not directly
21 related to the detection or prevention of burglaries, intrusions,
22 theft, or robbery of the protected premises.

23 (m) "System provider" means a person that engages in the
24 business of selling, leasing, renting, maintaining, repairing,
25 installing, or otherwise providing security alarm systems to the
26 public at the protected premises or by remote monitoring. The term
27 does not include any of the following:

1 (i) A person that purchases, rents, or uses an alarm system
2 that is affixed to a motor vehicle.

3 (ii) A person that owns or conducts a business of selling,
4 leasing, renting, installing, maintaining, or monitoring an alarm
5 system that is affixed to a motor vehicle.

6 (iii) An alarm system that is operated by this state, a
7 political subdivision of this state, an agency or department of
8 this state or a political subdivision of this state, or any other
9 governmental agency or department.

10 (iv) A person that installs a nonmonitored alarm system for a
11 business that the person owns, is employed by, or manages.

12 (v) A person that only manufactures or sells security alarm
13 systems, unless that person services, installs, monitors, or
14 responds to signals from security alarm systems at the protected
15 premises.

16 (vi) A person that sells security alarm systems that are
17 designed to be installed and monitored by any of the following:

18 (A) The customer, and not the person selling the security
19 alarm system.

20 (B) An affiliate of or contractor to the person selling the
21 security alarm system if the affiliate or contractor that installs
22 at the protected premises or monitors the security alarm system is
23 registered under this act.

24 (vii) A security alarm system contractor, as defined in section
25 2 of the private security business and security alarm act, 1968 PA
26 330, MCL 338.1052, that is required to obtain a license under that
27 act.

1 (viii) A SECURITY GUARD AGENCY THAT IS LICENSED UNDER ARTICLE
2 14A OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.1421 TO
3 339.1443, AND WHOSE EMPLOYEES OR AGENTS USE CLIENT-INSTALLED
4 EQUIPMENT OR EQUIPMENT INSTALLED BY A SYSTEM PROVIDER THAT IS
5 REGISTERED UNDER THIS ACT FOR THE PURPOSE OF PROTECTING THE
6 PERSONNEL AND PROPERTY OF A CLIENT OF THE SECURITY GUARD AGENCY. AS
7 USED IN THIS SUBPARAGRAPH:

8 (A) "EQUIPMENT" INCLUDES, BUT IS NOT LIMITED TO, ACCESS
9 CONTROL EQUIPMENT; VIDEO SURVEILLANCE AND RECORDING EQUIPMENT;
10 AUDIO COMMUNICATION EQUIPMENT; INTRUSION DETECTION AND PREVENTION
11 EQUIPMENT; AND AUTOMATED BARRIERS.

12 (B) "NORMAL END USER FUNCTIONS" INCLUDES, BUT IS NOT LIMITED
13 TO, VIDEO AND ALARM MONITORING; RETRIEVING VIDEO HISTORY FOR USE BY
14 A CLIENT, SECURITY, OR LAW ENFORCEMENT; ALLOWING OR DENYING ENTRY
15 TO INDIVIDUALS OR VEHICLES BY CONTROLLED ACCESS EQUIPMENT;
16 MAINTAINING DATABASES; OR AUDIO COMMUNICATION. NORMAL END USER
17 FUNCTIONS MAY BE PERFORMED ON-SITE OR FROM A REMOTE FACILITY OF A
18 CLIENT.

19 (C) "USE" MEANS ONLY NORMAL END USER FUNCTIONS AND CAPABILITY
20 THAT IS INSTALLED OR PROVIDED BY A SYSTEM PROVIDER TO A CLIENT.

21 (ix) A SECURITY GUARD AGENCY THAT IS LICENSED UNDER ARTICLE 14A
22 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.1421 TO 339.1443,
23 AND WHOSE EMPLOYEES OR AGENTS RESPOND TO BURGLAR, FIRE, OR
24 SUPERVISORY ALARMS FOR THE PURPOSE OF SECURING THE PROPERTY AND
25 ENSURING THE SAFETY OF INDIVIDUALS IN OR ON THAT PROPERTY. AS USED
26 IN THIS SUBPARAGRAPH, "RESPOND" MAY INCLUDE REVIEWING ALARM
27 HISTORY, RESETTING THE ALARM, AND, IF AUTHORIZED, PERFORMING OTHER

1 **NORMAL END-USER TASKS INCLUDING BYPASSING A PROTECTED ZONE IF**
2 **NECESSARY TO RESET THE ALARM SYSTEM.**

3 (n) "System user" means a person that uses a security alarm
4 system at a protected premises or remotely.

5 Enacting section 1. This amendatory act takes effect 90 days
6 after the date it is enacted into law.

7 Enacting section 2. This amendatory act does not take effect
8 unless all of the following bills of the 97th Legislature are
9 enacted into law:

10 (a) Senate Bill No. 983.

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12 (b) Senate Bill No. 986.

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14 (c) Senate Bill No. 984.

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