

SECURITY ALARM SYSTEMS ACT (EXCERPT)
Act 580 of 2012

338.2184 Registration statement; affidavit; contents; background check of each employee or independent contractor; employment prohibited; conditions.

Sec. 4. (1) A registration statement filed with the department shall include a completed affidavit, submitted by the registrant or applicant and signed by an officer or another individual who is authorized to bind the registrant, that affirms all of the following:

(a) The registrant's or applicant's legal name and any name under which the registrant or applicant does or will do business in this state that is authorized by the department.

(b) The address and telephone number of the registrant's or applicant's principal place of business and contact information for the individual responsible for ongoing communications with the department.

(c) A description of the geographic areas in this state the registrant or applicant does or will serve.

(d) A description of the training the registrant will provide to its employees or independent contractors who are involved in installing or monitoring security alarm systems. The department may refuse to accept a registration statement if it determines that the training is not commercially reasonable considering the nature of the security alarm systems installed or monitored by the registrant or applicant.

(e) A description of the security alarm system services that the registrant or applicant does or will provide.

(f) That the registrant or applicant will file an updated registration statement annually, or sooner if a material change to the information occurs.

(2) A registrant, applicant, or affiliate or contractor described in section 2(m)(vi)(B) shall conduct a background check of each employee or independent contractor of the registrant, applicant, affiliate, or contractor who, in the normal course of his or her employment or engagement, enters a customer's premises to sell, lease, rent, maintain, repair, install, or otherwise provide a security alarm system at a protected premises. The background check required under this subsection shall include the taking of fingerprints of the employee or independent contractor and submission of those fingerprints to the department of state police or the federal bureau of investigation for the purpose of a criminal history record search. However, a registrant, applicant, affiliate, or contractor is not required to submit the fingerprints of an employee or independent contractor under this subsection if the employee's or independent contractor's fingerprints were previously submitted for the purpose of a criminal history record search for the purposes of meeting the requirements of a regulatory authority in another state and the registrant, applicant, affiliate, or contractor has the results of that submission.

(3) An applicant, registrant, or affiliate or contractor described in section 2(m)(vi)(B) shall not employ or engage, or continue to employ or engage, an individual for whom a background check is required under subsection (2) if he or she meets any of the following:

(a) Is not at least 18 years old.

(b) Does not have a high school diploma or a general education development (GED) certificate or its equivalent.

(c) His or her background check under subsection (2) discloses any of the following:

(i) He or she was convicted of a felony.

(ii) Within the 5-year period preceding the date of the background check, he or she was convicted of a misdemeanor involving any of the following:

(A) Dishonesty or fraud.

(B) Unauthorized divulging or selling of information or evidence.

(C) Impersonation of a law enforcement officer or employee of the United States, this state, or a political subdivision of this state.

(D) Illegally using, carrying, or possessing a dangerous weapon.

(E) Two or more alcohol-related offenses.

(F) Controlled substances under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(G) An assault.

(H) Criminal sexual conduct in the fourth degree under section 520e of the Michigan penal code, 1931 PA 328, MCL 750.520e.

(iii) He or she has been adjudged insane unless restored to sanity by court order.

(iv) He or she has any outstanding warrants for his or her arrest.

History: 2012, Act 580, Imd. Eff. Jan. 2, 2013.