



General Assembly

January Session, 2007

Raised Bill No. 7268

LCO No. 4638

* HB07268PS_JUD030707 *

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

AN ACT REQUIRING THE REGISTRATION OF ELECTRONIC SECURITY ALARM COMPANIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) As used in sections 1 to 8,
2 inclusive, of this act, unless the context clearly indicates otherwise:

3 (1) "Certificate" means a certificate of registration as an electronic
4 security alarm company;

5 (2) "Commissioner" means the Commissioner of Consumer
6 Protection or any person designated by the commissioner to
7 administer and enforce the provisions of sections 1 to 8, inclusive, of
8 this act;

9 (3) "Engage in the business" means to be in business for the purpose
10 of compensation or profit;

11 (4) "Person" means one or more individuals, partnerships,
12 associations, corporations, limited liability companies, business trusts,
13 legal representatives or any organized group of persons;

14 (5) "Employee" means any person employed by, or who enters into a
15 contract to perform services for, an electronic security alarm company,
16 including, but not limited to, temporary employees and independent
17 contractors; and

18 (6) "Electronic security alarm company" means a person engaged in
19 providing burglar, fire, access control and video camera installation
20 security services.

21 Sec. 2. (NEW) (*Effective October 1, 2007*) (a) No person acting
22 individually or jointly with any other person shall establish, conduct,
23 operate or maintain an electronic security alarm company in this state
24 without first obtaining a certificate of registration from the
25 Commissioner of Consumer Protection.

26 (b) Any person seeking a certificate of registration as an electronic
27 security alarm company shall apply to the commissioner, in writing,
28 on a form provided by the commissioner. The application shall include
29 the applicant's name, residence address, business address, business
30 telephone number and such other information as the commissioner
31 may require, and if the applicant is an association, corporation or
32 partnership, such information shall be required for each officer or
33 member. An applicant shall also be required to certify under oath to
34 the commissioner that such company complies with the requirements
35 of section 5 of this act concerning employee comprehensive
36 background checks and all records maintained by such agency shall be
37 open, at all reasonable hours, for inspection, copying or audit by the
38 commissioner.

39 (c) Each application for a certificate of registration as an electronic
40 security alarm company shall be accompanied by a fee of three
41 hundred dollars.

42 (d) Upon receipt of a completed application and fee, the
43 Commissioner of Consumer Protection shall issue and deliver to the
44 applicant a certificate of registration as an electronic security alarm

45 company; or refuse to issue the certificate. The commissioner may
46 suspend, revoke or refuse to issue or renew any certificate issued
47 under this section, or may place a registrant on probation or issue a
48 letter of reprimand in accordance with the provisions of sections 3 and
49 4 of this act. No application for the reinstatement of a certificate which
50 has been revoked shall be accepted by the commissioner earlier than
51 one year after the date of such revocation.

52 (e) Certificates issued to an electronic security alarm company shall
53 not be transferable or assignable.

54 (f) All certificates issued under the provisions of this section shall
55 expire annually. The fee for renewal of a certificate shall be the same as
56 the fee charged for an original application pursuant to this section.
57 Fees collected pursuant to the issuance of a certificate or renewal of a
58 certificate shall be deposited in the General Fund.

59 (g) Failure to receive a notice of expiration of registration or a
60 renewal application shall not exempt an electronic security alarm
61 company from the obligation to renew.

62 (h) Upon the failure by an electronic security alarm company to
63 comply with the registration provisions of this section, the Attorney
64 General, at the request of the Commissioner of Consumer Protection,
65 may apply in the name of the state of Connecticut to the Superior
66 Court for an order temporarily or permanently restraining and
67 enjoining an electronic security alarm company from continuing to do
68 business in the state.

69 Sec. 3. (NEW) (*Effective October 1, 2007*) (a) Upon refusal to issue or
70 renew a certificate, the Commissioner of Consumer Protection shall
71 notify the applicant of the refusal and of the applicant's right to request
72 a hearing not later than ten days after the date of receipt of the notice
73 of refusal.

74 (b) If the applicant requests a hearing within such ten days, the
75 commissioner shall give notice of the grounds for the commissioner's

76 refusal and shall conduct a hearing concerning such refusal in
77 accordance with the provisions of chapter 54 of the general statutes
78 concerning contested cases.

79 (c) If the commissioner's refusal of a certificate is sustained after
80 such hearing, an applicant may reapply not earlier than one year after
81 the date on which such denial was sustained.

82 Sec. 4. (NEW) (*Effective October 1, 2007*) (a) The Commissioner of
83 Consumer Protection may revoke, suspend or refuse to issue or renew
84 any certificate of registration as an electronic security alarm company
85 or place an electronic security alarm company on probation or issue a
86 letter of reprimand for: (1) Conduct by the company, or by an
87 employee of the company while in the course of employment, of a
88 character likely to mislead, deceive or defraud the public or the
89 commissioner; or (2) any untruthful or misleading advertising.

90 (b) The commissioner shall not revoke or suspend any certificate of
91 registration except upon notice and hearing in accordance with chapter
92 54 of the general statutes.

93 Sec. 5. (NEW) (*Effective October 1, 2007*) (a) Each electronic security
94 alarm company shall require each employee of the company hired on
95 or after October 1, 2007, to submit to a criminal history records check
96 conducted in accordance with the provisions of section 29-17a of the
97 general statutes or a comprehensive background check through the use
98 of private contractors. All employees of an electronic security alarm
99 company hired after said date shall submit to a criminal history
100 records check or a comprehensive background check at least once
101 every two years. Each application for employment at an electronic
102 security alarm company shall contain questions regarding whether the
103 applicant has been convicted of a crime in state or federal court or
104 whether criminal charges are pending against the applicant at the time
105 of application.

106 (b) Subject to the provisions of section 46a-80 of the general statutes,

107 no person shall be approved for employment who has been convicted
108 of a felony or any sexual offense or any crime of moral turpitude.

109 (c) If at any time the electronic security alarm company receives
110 notice that an employee has been convicted of a felony or any sexual
111 offense or any crime of moral turpitude prior to employment or while
112 employed by the company, the company may terminate the
113 employment of the employee. Upon termination of employment, each
114 employee of an electronic security alarm company shall surrender the
115 photographic identification card issued under section 6 of this act.

116 (d) Any employee hired by an electronic security alarm company on
117 or after October 1, 2007, who makes a false written statement
118 regarding such employee's prior criminal convictions or disciplinary
119 action shall be fined not more than two thousand dollars or
120 imprisoned not more than one year, or both.

121 Sec. 6. (NEW) (*Effective October 1, 2007*) The Commissioner of
122 Consumer Protection shall issue a pocket identification card to each
123 employee of an electronic security alarm company and, in the case of a
124 corporation or partnership operating an electronic security alarm
125 company, each officer or member of the corporation or partnership.
126 Such identification card shall contain a photograph of the employee,
127 officer or member, the name and business address of the registered
128 company, the registration number and date of its expiration and the
129 imprint or impress of the seal of the state of Connecticut. The
130 commissioner may charge a fee to cover the cost of issuance and
131 replacement of such identification card. Such identification card shall
132 be carried upon the person of the person to whom it was issued when
133 engaged in the activities of the electronic security alarm company, and
134 shall be evidence that the person is duly authorized to engage in the
135 business of such company. All persons to whom such cards have been
136 issued shall be responsible for the safe keeping of the card and shall
137 not lend, enable or permit another person to have, hold, possess or
138 display such card.

139 Sec. 7. (NEW) (*Effective October 1, 2007*) (a) Each person who holds
140 an electronic security alarm company certificate of registration shall:
141 (1) Exhibit the company's certificate of registration upon request by
142 any interested party, (2) state in any advertisement that the company is
143 registered, and (3) include the company registration number in any
144 advertisement.

145 (b) No such person shall: (1) Present or attempt to present, as such
146 person's own, the certificate of another, (2) knowingly give false
147 evidence of a material nature to the Commissioner of Consumer
148 Protection for the purpose of procuring a certificate, (3) represent
149 himself or herself falsely as, or impersonate, a registered electronic
150 security alarm company, (4) use or attempt to use a certificate which
151 has expired or which has been suspended or revoked, (5) offer to
152 provide electronic security alarm services without having a current
153 certificate of registration under the provisions of sections 1 to 8,
154 inclusive, of this act, or (6) represent in any manner that such person's
155 registration constitutes an endorsement by the commissioner of the
156 quality of services provided by such person.

157 (c) In addition to any other remedy provided for in sections 1 to 8,
158 inclusive, of this act, any person who violates any provision of
159 subsection (b) of this section shall be fined not more than one thousand
160 dollars or imprisoned not more than six months, or both.

161 Sec. 8. (NEW) (*Effective October 1, 2007*) The Commissioner of
162 Consumer Protection shall adopt regulations, in accordance with
163 chapter 54 of the general statutes, to carry out the provisions of
164 sections 1 to 8, inclusive, of this act. The Commissioner of Consumer
165 Protection may implement policies and procedures necessary to
166 administer the provisions of sections 1 to 8, inclusive, of this act, while
167 in the process of adopting such policies and procedures as regulations,
168 provided the commissioner prints notice of the intent to adopt the
169 regulations in the Connecticut Law Journal not later than twenty days
170 after the date of implementation. Such policies and procedures shall be
171 valid until the time final regulations are adopted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section
Sec. 3	<i>October 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	New section
Sec. 5	<i>October 1, 2007</i>	New section
Sec. 6	<i>October 1, 2007</i>	New section
Sec. 7	<i>October 1, 2007</i>	New section
Sec. 8	<i>October 1, 2007</i>	New section

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Joint Favorable C/R

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