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AB-1616 Alarm companies: liability: false alarm. (2017-2018)

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Assembly Bill No. 1616

CHAPTER 157

An act to amend Section 7592.8 of the Business and Professions Code, relating to professions and vocations.

[Approved by Governor July 31, 2017. Filed with Secretary of State July 31, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1616, Nazarian. Alarm companies: liability: false alarm.

The Alarm Company Act provides for the regulation, by the Bureau of Security and Investigative Services within the Department of Consumer Affairs, of alarm company operators and alarm agents. The act provides that it does not prevent the local authorities of any city, county, or city and county from, among other things, enacting ordinances governing false alarm activations and responses.

This bill would prohibit an alarm company operator or an alarm agent from being liable for civil penalties and fines assessed by a city, county, or city and county 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, or defective equipment leased by an alarm company operator.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7592.8 of the Business and Professions Code is amended to read:

7592.8. (a) The provisions of this chapter shall not prevent the local authorities of any city, county, or city and county, by ordinance and within the exercise of the police power of the city, county, or city and county from:

- (1) Requiring alarm company operator licensees to meet the requirements for and obtain a business permit.
- (2) Requiring alarm agents or alarm company operators, or both, to register their name and file a copy of their state issued identification card with the city, county, or city and county. No fee, other than a fee for a business license permit, may be charged nor may any application be required by the city, county, or city and county for that registration.
- (3) (A) Enacting ordinances governing false alarm activations and responses.

(B) An alarm company operator or an alarm agent shall not be liable for civil penalties and fines assessed or imposed by a city, county, or city and county 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, or defective equipment leased by an alarm company operator.

(4) Requiring persons who own, lease, rent, or otherwise possess an alarm system to obtain a permit to operate the alarm system.

(b) This section shall not be construed to affect the authority of a city, county, or city and county to adopt and enforce ordinances requiring alarm companies to attempt to verify alarm events before requesting dispatch.

(c) Except as otherwise required to comply with this chapter, this section shall not be construed to require the bureau to investigate, hear, or adjudicate a cause of action between an alarm company and a city, county, or city and county that pertains to liability for penalties imposed under an ordinance enacted by the city, county, or city and county.