

## **Alarm Company/Installers/Monitors**

Sec. 1702.105. ALARM SYSTEMS COMPANY. A person acts as an alarm systems company for the purposes of this chapter if the person sells, installs, services, monitors, or responds to an alarm system or detection device.

Sec. 1702.223. ALARM SYSTEMS INSTALLER. An individual acts as an alarm systems installer for purposes of this chapter if the individual installs, maintains, or repairs an alarm system.

Sec. 1702.224. ALARM SYSTEMS MONITOR.

(a) An individual acts as an alarm systems monitor for purposes of this chapter if the individual monitors an alarm system or detection device.

(b) This section does not apply to an individual employed exclusively and regularly by an employer, other than a license holder, in connection with the affairs of that employer and with whom the individual has an employee-employer relationship.

## **DEFINITIONS**

Sec.1702.002. (1) "Alarm system" means:

- (A) electronic equipment and devices designed to detect or signal:
  - (i) an unauthorized entry or attempted entry of a person or object into a residence, business, or area monitored by the system; or
  - (ii) the occurrence of a robbery or other emergency;
  
- (B) electronic equipment and devices using a computer or data processor designed to control the access of a person, vehicle, or object through a door, gate, or entrance into the controlled area of a residence or business; or
  
- (C) a television camera or still camera system that:
  - (i) records or archives images of property or individuals in a public or private area of a residence or business; or
  - (ii) is monitored by security personnel or services.

(1-a) For purposes of Subdivision (1), the term "alarm system" does not include a telephone entry system, an operator for opening or closing a residential or commercial gate or door, or an accessory used only to activate a gate or door, if the system, operator, or accessory is not connected to an alarm system.

Sec. 1702.227. SECURITY SALESPERSON. An individual acts as a security salesperson for purposes of this chapter if the individual is employed by a security services contractor to sell services offered by the contractor.

Sec. 1702.239. TRAINING REQUIREMENTS FOR ALARM SYSTEMS INSTALLER AND SECURITY SALESPERSON; EXAMINATION. (a) The Private Security Bureau may require that an individual employed as an alarm systems installer or security salesperson hold a certification by a Private Security Bureau-approved training program to renew an initial registration. The Private Security Bureau may approve only nationally recognized training programs that consist of at least 20 hours of classroom study in the areas of work allowed by the registration. To be approved, a training program must offer at least two certification programs each year, sufficient to complete the requirements of this subsection, within 100 miles of each county in the state that has a population of more than 500,000.

(b) The Private Security Bureau may require an individual who has completed a training program under Subsection (a) to pass an examination given by the Private Security Bureau or by a person approved by the Private Security Bureau. The Private Security Bureau may approve examinations in conjunction with training programs approved under Subsection (a). The individual's performance on the examination must demonstrate the individual's qualifications to perform the duties allowed by the individual's registration.

(c) If the Private Security Bureau requires certification or examination under this section, the Private Security Bureau shall implement rules to require that to renew a registration, an individual who is employed as an alarm systems installer or a security salesperson and who has already once renewed the registration must obtain continuing education credits related to the line of work for which the individual is licensed. If the Private Security Bureau requires the continuing education, the Private Security Bureau Manager must approve classes offered by nationally recognized organizations, and participants in the classes must qualify according to Private Security Bureau rules.

Sec. 1702.065. POWERS AND DUTIES RELATING TO ALARM SYSTEMS INSTALLERS; CERTIFICATES OF INSTALLATION. (a) The Private Security Bureau may interpret and issue an opinion resolving a question concerning the eligibility of an alarm system installation to comply with Article 5.33A, Insurance Code. A Private Security Bureau interpretation or opinion relating to general conditions or an individual installation is conclusive.

(b) The Private Security Bureau may authorize an alarm systems company to issue a certificate of installation showing that an installation complies with Article 5.33A, Insurance Code. An inspection otherwise required by the Insurance Code is not required if a certificate is issued under this section. The certificate must be furnished to the insurer, and the insurer shall determine whether the person's property is in compliance with Article 5.33A, Insurance Code, taking into consideration the installer's certificate and information from any other investigation the insurer determines to be appropriate.

Sec. 1702.284. ALARM SYSTEMS RECORDS CONFIDENTIAL. Information contained in alarm systems records maintained by a governmental body that concerns the location of an alarm system, the name of the occupant of an alarm system location, or the type of alarm system used is confidential and may be disclosed only to the Private

Security Bureau or as otherwise required by state law or court order.

Sec. 1702.370. EFFECT OF SUSPENSION; MONITORING OF EXISTING ALARM CONTRACTS. Subject to expiration of the license under Section 1702.306, a license holder may continue to monitor under an existing alarm contract or contract to monitor under an existing alarm contract for 30 days after the date of suspension of the person's license.

Sec. 1702.3705. PROHIBITION AGAINST CERTAIN POLITICAL SUBDIVISIONS ACTING AS ALARM SYSTEMS COMPANY. (a) Except as provided by Subsection (b), a political subdivision may not offer residential alarm system sales, service, installation, or monitoring unless it has been providing monitoring services to residences within the boundaries of the political subdivision as of September 1, 1999. Any fee charged by the political subdivision may not exceed the cost of the monitoring.

(b) A political subdivision may:

- (1) offer service, installation, or monitoring for property owned by the political subdivision or another political subdivision;
- (2) allow for the response of an alarm or detection device by a law enforcement agency or by a law enforcement officer acting in an official capacity;
- (3) offer monitoring in connection with a criminal investigation; or
- (4) offer monitoring to a financial institution, as defined by Section 59.301, Finance Code, that requests, in writing, that the political subdivision provide monitoring service to the financial institution.

(c) The limitations of Subsection (a) do not apply to a political subdivision in a county with a population of less than 80,000 or in a political subdivision where monitoring is not otherwise provided or available.