

REFERENCE TITLE: alarm businesses and agents

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

HB 2446

Introduced by
Representative Pratt

AN ACT

AMENDING SECTION 41-619.51, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2008, CHAPTER 173, SECTION 1 AND CHAPTER 300, SECTION 4; REPEALING SECTION 41-619.51, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2009, CHAPTER 8, SECTION 12; AMENDING SECTIONS 41-1758 AND 41-1758.01, ARIZONA REVISED STATUTES; AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 35; RELATING TO REGULATION OF ALARM BUSINESSES AND AGENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 41-619.51, Arizona Revised Statutes, as amended by
3 Laws 2008, chapter 173, section 1 and chapter 300, section 4, is amended to
4 read:
5 41-619.51. Definitions
6 In this article, unless the context otherwise requires:
7 1. "Agency" means the supreme court, the department of economic
8 security, the department of education, the department of health services, the
9 department of juvenile corrections, the department of emergency and military
10 affairs, THE DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY or the board of
11 examiners of nursing care institution administrators and assisted living
12 facility managers.
13 2. "Board" means the board of fingerprinting.
14 3. "Expedited review" means an examination, in accordance with board
15 rule, of the documents an applicant submits by the board or its hearing
16 officer without the applicant being present.
17 4. "Good cause exception" means the issuance of a fingerprint
18 clearance card to an employee pursuant to section 41-619.55.
19 5. "Person" means a person who is required to be fingerprinted
20 pursuant to this article and any of the following:
21 (a) Section 8-105.
22 (b) Section 8-322.
23 (c) Section 8-509.
24 (d) Section 8-802.
25 (e) Section 15-183.
26 (f) Section 15-534.
27 (g) Section 15-1330.
28 (h) Section 15-1881.
29 (i) Section 26-103.
30 (j) Section 36-411.
31 (k) Section 36-425.03.
32 (l) Section 36-446.04.
33 (m) Section 36-594.01.
34 (n) Section 36-594.02.
35 (o) Section 36-882.
36 (p) Section 36-883.02.
37 (q) Section 36-897.01.
38 (r) Section 36-897.03.
39 (s) Section 36-3008.
40 (t) SECTION 41-619.53.
41 ~~(t)~~ (u) Section 41-1964.
42 ~~(u)~~ (v) Section 41-1967.01.
43 ~~(v)~~ (w) Section 41-1968.
44 ~~(w)~~ (x) Section 41-1969.
45 ~~(x)~~ (y) Section 41-2814.

- 1 (z) SECTION 44-7804.
- 2 (aa) SECTION 44-7806.
- 3 ~~(y)~~ (bb) Section 46-141, subsection A.
- 4 ~~(z)~~ (cc) Section 46-321.
- 5 Sec. 2. Repeal
- 6 Section 41-619.51, Arizona Revised Statutes, as amended by Laws 2009,
- 7 chapter 8, section 12, is repealed.
- 8 Sec. 3. Section 41-1758, Arizona Revised Statutes, is amended to read:
- 9 41-1758. Definitions
- 10 In this article, unless the context otherwise requires:
- 11 1. "Agency" means the supreme court, the department of economic
- 12 security, the department of education, the department of health services, the
- 13 department of juvenile corrections, the department of emergency and military
- 14 affairs, the board of fingerprinting, THE DEPARTMENT OF FIRE, BUILDING AND
- 15 LIFE SAFETY or the board of examiners of nursing care institution
- 16 administrators and assisted living facility managers.
- 17 2. "Division" means the fingerprinting division in the department of
- 18 public safety.
- 19 3. "Good cause exception" means the issuance of a fingerprint
- 20 clearance card to an employee pursuant to section 41-619.55.
- 21 4. "Person" means a person who is required to be fingerprinted
- 22 pursuant to any of the following:
- 23 (a) Section 8-105.
- 24 (b) Section 8-322.
- 25 (c) Section 8-509.
- 26 (d) Section 8-802.
- 27 (e) Section 15-183.
- 28 (f) Section 15-503.
- 29 (g) Section 15-512.
- 30 (h) Section 15-534.
- 31 (i) Section 15-1330.
- 32 (j) Section 15-1881.
- 33 (k) Section 26-103.
- 34 (l) Section 36-411.
- 35 (m) Section 36-425.03.
- 36 (n) Section 36-446.04.
- 37 (o) Section 36-594.01.
- 38 (p) Section 36-594.02.
- 39 (q) Section 36-882.
- 40 (r) Section 36-883.02.
- 41 (s) Section 36-897.01.
- 42 (t) Section 36-897.03.
- 43 (u) Section 36-3008.
- 44 (v) Section 41-619.52.
- 45 (w) Section 41-619.53.

- 1 (x) Section 41-1964.
- 2 (y) Section 41-1967.01.
- 3 (z) Section 41-1968.
- 4 (aa) Section 41-1969.
- 5 (bb) Section 41-2814.
- 6 (cc) SECTION 44-7804.
- 7 (dd) SECTION 44-7806.
- 8 ~~(ee)~~ (ee) Section 46-141, subsection A.
- 9 ~~(ff)~~ (ff) Section 46-321.

10 5. "Vulnerable adult" has the same meaning prescribed in section
 11 13-3623.

12 Sec. 4. Section 41-1758.01, Arizona Revised Statutes, is amended to
 13 read:

14 41-1758.01. Fingerprinting division; duties

15 The fingerprinting division is established in the department of public
 16 safety and shall:

17 1. Conduct fingerprint background checks for persons and applicants
 18 who are seeking employment with licensees, contract providers and state
 19 agencies or seeking employment or educational opportunities with agencies
 20 that require fingerprint background checks pursuant to sections 8-105, 8-322,
 21 8-509, 8-802, 15-183, 15-503, 15-512, 15-534, 15-1330, 15-1881, 26-103,
 22 36-411, 36-425.03, 36-446.04, 36-594.01, 36-594.02, 36-882, 36-883.02,
 23 36-897.01, 36-897.03, 36-3008, 41-619.52, 41-619.53, 41-1964, 41-1967.01,
 24 41-1968, 41-1969, ~~and~~ 41-2814, 44-7804 AND 44-7806, section 46-141,
 25 subsection A and section 46-321.

26 2. Issue fingerprint clearance cards. On issuance, a fingerprint
 27 clearance card becomes the personal property of the cardholder and the
 28 cardholder shall retain possession of the fingerprint clearance card.

29 3. On submission of an application for a fingerprint clearance card,
 30 collect the fees established by the board of fingerprinting pursuant to
 31 section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147, the
 32 monies collected in the board of fingerprinting fund.

33 4. Inform in writing each person who submits fingerprints for a
 34 fingerprint background check of the person's right to petition the board of
 35 fingerprinting for a good cause exception pursuant to sections 41-1758.03 and
 36 41-1758.07.

37 5. Administer and enforce this article.

38 Sec. 5. Title 44, Arizona Revised Statutes, is amended by adding
 39 chapter 35, to read:

40 CHAPTER 35

41 REGULATION OF ALARM BUSINESSES AND AGENTS

42 ARTICLE 1. GENERAL PROVISIONS

43 44-7801. Definitions

44 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- 45 1. "ALARM" OR "ALARM SYSTEM":

1 (a) MEANS ANY MECHANICAL OR ELECTRICAL DEVICE THAT IS DESIGNED TO EMIT
2 AN AUDIBLE ALARM OR TRANSMIT A SIGNAL OR MESSAGE IF ACTIVATED AND THAT IS
3 USED TO DETECT SMOKE, FIRE OR HAZARDOUS MATERIALS, DETECT AN UNAUTHORIZED
4 ENTRY INTO A BUILDING OR OTHER FACILITY OR ALERT OTHER PERSONS OF THE
5 OCCURRENCE OF A FIRE OR A MEDICAL EMERGENCY OR THE COMMISSION OF AN UNLAWFUL
6 ACT AGAINST A PERSON OR IN A BUILDING OR OTHER FACILITY.

7 (b) INCLUDES A SILENT, PANIC, HOLDUP, ROBBERY, DURESS, BURGLARY, CHECK
8 WELFARE AND PROPRIETOR ALARM.

9 (c) DOES NOT INCLUDE A TELEPHONE CALL DIVERTER OR A SYSTEM THAT IS
10 DESIGNED TO REPORT ENVIRONMENTAL AND OTHER OCCURRENCES AND THAT IS NOT
11 DESIGNED OR USED TO ALERT, OR CAUSE OTHER PERSONS TO ALERT, PUBLIC SAFETY
12 PERSONNEL.

13 2. "ALARM AGENT" MEANS A PERSON, WHETHER AN EMPLOYEE, INDEPENDENT
14 CONTRACTOR OR OTHERWISE, WHO ACTS ON BEHALF OF AN ALARM BUSINESS AND WHO
15 TESTS, MAINTAINS, SERVICES, REPAIRS, SELLS, RENTS, LEASES OR INSTALLS ALARM
16 SYSTEMS, OTHER THAN AN ALARM SYSTEM LOCATED ON THE PERSON'S OWN PROPERTY OR
17 THE PROPERTY OF THE PERSON'S EMPLOYER.

18 3. "ALARM BUSINESS" MEANS ANY PERSON THAT, EITHER BY ITSELF OR THROUGH
19 A THIRD PARTY, ENGAGES IN THE BUSINESS OF:

20 (a) PROVIDING ALARM MONITORING SERVICES.

21 (b) SELLING, LEASING, RENTING, MAINTAINING, REPAIRING OR INSTALLING A
22 NONPROPRIETOR ALARM SYSTEM OR SERVICE.

23 4. "ALARM SUBSCRIBER" MEANS ANY PERSON WHO:

24 (a) LEASES, RENTS OR PURCHASES ANY MONITORED ALARM SYSTEM OR SERVICE
25 FROM AN ALARM BUSINESS.

26 (b) LEASES OR RENTS AN ALARM SYSTEM.

27 (c) CONTRACTS WITH AN ALARM BUSINESS FOR ALARM MONITORING,
28 INSTALLATION, REPAIR OR MAINTENANCE SERVICES.

29 5. "CONTROLLING PERSON":

30 (a) MEANS ALL CURRENT OFFICERS, MANAGERS AND DIRECTORS OF AN ALARM
31 BUSINESS, AND ANY PERSON WHO IS A STOCKHOLDER, MEMBER, GENERAL OR LIMITED
32 PARTNER OR OWNER OR WHO HOLDS MORE THAN TEN PER CENT OF THE OWNERSHIP,
33 MANAGEMENT RIGHTS, CONTROL OR CLAIM TO THE PROFITS OF AN ALARM BUSINESS.

34 (b) DOES NOT INCLUDE CURRENT OFFICERS, DIRECTORS OR SHAREHOLDERS OF
35 STOCK IN ANY CORPORATION THAT IS TRADED ON A NATIONAL STOCK EXCHANGE.

36 6. "DEPARTMENT" MEANS THE DEPARTMENT OF FIRE, BUILDING AND LIFE
37 SAFETY.

38 7. "MONITORED ALARM" MEANS A DEVICE THAT IS DESIGNED FOR THE DETECTION
39 OF AN UNAUTHORIZED ENTRY IN A PREMISE AND THAT IF ACTIVATED GENERATES A
40 NOTIFICATION SIGNAL.

41 8. "PROPRIETOR ALARM" MEANS ANY ALARM OR ALARM SYSTEM THAT IS OWNED BY
42 THE ALARM SUBSCRIBER AND THAT IS NOT A MONITORED ALARM.

- 1 DATES OF BIRTH OF EACH CONTROLLING PERSON. IF ONE OR MORE OF THE PARTNERS,
2 MEMBERS OR SHAREHOLDERS OF THE APPLICANT IS A CORPORATION OR OTHER LEGAL
3 ENTITY, THE PROVISIONS OF THIS SUBSECTION RELATING TO INFORMATION REQUIRED OF
4 A CORPORATION APPLY.
- 5 2. IF THE APPLICANT IS A CORPORATION, GENERAL OR LIMITED PARTNERSHIP,
6 LIMITED LIABILITY COMPANY OR OTHER LEGAL ENTITY, DESIGNATION OF ONE OF ITS
7 OFFICERS, GENERAL PARTNERS OR MEMBERS TO ACT AS ITS RESPONSIBLE CONTROLLING
8 PERSON. THE DESIGNATED PERSON SHALL COMPLETE AND SIGN ALL APPLICATION FORMS
9 REQUIRED OF AN INDIVIDUAL APPLICANT UNDER THIS CHAPTER. THE APPLICANT SHALL
10 ALSO PROVIDE A COPY OF THE CORPORATION, PARTNERSHIP OR LIMITED LIABILITY
11 COMPANY FORMATION DOCUMENTS.
- 12 3. THE NAME OF THE APPLICANT AND EACH CONTROLLING PERSON, ANY ALIAS OR
13 OTHER NAME USED OR BY WHICH THE APPLICANT OR ANY CONTROLLING PERSON HAS BEEN
14 PREVIOUSLY KNOWN, THE APPLICANT'S CURRENT RESIDENCE AND BUSINESS ADDRESSES,
15 TELEPHONE NUMBERS, INCLUDING FAX NUMBERS, AND ELECTRONIC MAILING ADDRESSES.
- 16 4. THE NAMES AND ADDRESSES OF THE ALARM AGENTS WHO ARE EMPLOYED BY THE
17 ALARM BUSINESS, ALONG WITH COPIES OF EACH ALARM AGENT'S LICENSE.
- 18 5. PROOF THAT THE APPLICANT AND EACH CONTROLLING PERSON IS AT LEAST
19 EIGHTEEN YEARS OF AGE AS INDICATED ON A CURRENT DRIVER LICENSE WITH PICTURE
20 OR OTHER PICTURE IDENTIFICATION DOCUMENT THAT IS ISSUED BY A GOVERNMENTAL
21 AGENCY.
- 22 6. THE HEIGHT, WEIGHT, COLOR OF EYES AND HAIR AND DATE OF BIRTH OF THE
23 APPLICANT AND EACH CONTROLLING PERSON.
- 24 7. TWO CURRENT TWO INCH BY TWO INCH PHOTOGRAPHS OF THE APPLICANT AND
25 EACH CONTROLLING PERSON.
- 26 8. INFORMATION AS TO WHETHER THE APPLICANT OR ANY CONTROLLING PERSON,
27 OR THE BUSINESS ON BEHALF OF WHICH THE LICENSE IS BEING APPLIED FOR, HAS EVER
28 BEEN REFUSED OR DENIED ANY SIMILAR LICENSE OR PERMIT OR HAS HAD ANY SIMILAR
29 LICENSE OR PERMIT REVOKED, CANCELED OR SUSPENDED AND THE REASON OR REASONS
30 FOR THE REVOCATION, CANCELLATION OR SUSPENSION.
- 31 9. FOR ALL ALARM BUSINESSES THAT INSTALL OR SERVICE ALARMS, A COPY OF
32 THE REGISTRAR OF CONTRACTOR'S LICENSE THAT IS ISSUED BY THIS STATE.
- 33 10. A COPY OF THE TRANSACTION PRIVILEGE TAX LICENSE THAT IS ISSUED BY
34 THIS STATE.
- 35 11. AN EXPRESS AGREEMENT BY THE ALARM BUSINESS THAT ALL RECORDS OF THE
36 ALARM BUSINESS, WHETHER WRITTEN, RECORDED ELECTRONICALLY OR IN ANY OTHER
37 FORM, RELATING TO INFORMATION REQUIRED TO BE SUPPLIED TO THE DEPARTMENT OR A
38 LOCAL LAW ENFORCEMENT JURISDICTION IN CASE OF AN ALARM, SHALL BE IMMEDIATELY
39 MADE AVAILABLE AT ANY TIME ON REQUEST FOR INSPECTION BY THE DEPARTMENT OR
40 LOCAL LAW ENFORCEMENT JURISDICTION.
- 41 12. A COPY OF THE ALARM BUSINESS GENERAL LIABILITY AND ERRORS AND
42 OMISSIONS INSURANCE COVERAGE IN AN AMOUNT OF NOT LESS THAN ONE MILLION
43 DOLLARS PER OCCURRENCE. THE LICENSEE SHALL NOTIFY THE DEPARTMENT OF
44 CANCELLATION OF EITHER INSURANCE. CANCELLATION OF EITHER INSURANCE WITHOUT
45 IMMEDIATE REPLACEMENT MAY RESULT IN LOSS OF LICENSE.

1 13. OTHER INFORMATION, EVIDENCE, STATEMENTS OR DOCUMENTS THAT THE
2 DEPARTMENT DEEMS REASONABLY NECESSARY TO PROCESS AND EVALUATE THE APPLICATION
3 OR RENEWAL.

4 D. AN APPLICANT FOR AN ALARM BUSINESS LICENSE OR AN APPLICANT FOR A
5 RENEWAL OF AN ALARM BUSINESS LICENSE SHALL NOTIFY THE DEPARTMENT, IN WRITING,
6 OF ANY CHANGE IN THE INFORMATION CONTAINED IN THE LICENSE APPLICATION OR
7 RENEWAL APPLICATION. THE APPLICANT SHALL NOTIFY THE DEPARTMENT WITHIN
8 FIFTEEN CALENDAR DAYS OF THE OCCURRENCE OF THE CHANGE.

9 E. A LICENSEE SHALL FILE AN APPLICATION FOR A LICENSE RENEWAL WITH THE
10 DEPARTMENT NO LATER THAN FOURTEEN DAYS BEFORE THE EXPIRATION OF THE LICENSE
11 THAT IS CURRENTLY IN EFFECT. IF A LICENSE EXPIRES WITHOUT THE LICENSEE
12 HAVING SUBMITTED A TIMELY APPLICATION FOR RENEWAL, THE HOLDER OF THE EXPIRED
13 LICENSE SHALL FILE A NEW APPLICATION FOR AN INITIAL LICENSE.

14 F. A LICENSEE SHALL PLACE THE ALARM LICENSE NUMBER ON ALL WRITTEN BIDS
15 THAT ARE SUBMITTED BY THE LICENSEE AND ON ALL ADVERTISING, COMPANY VEHICLES,
16 LETTERHEADS AND DOCUMENTS USED BY THE LICENSEE IN THE CONDUCT OF A BUSINESS
17 REGULATED BY THIS CHAPTER.

18 44-7805. Duties of an alarm business

19 A. AN ALARM BUSINESS SHALL:

20 1. ENSURE THAT EACH CONTROLLING PERSON OF THE ALARM BUSINESS HAS AT
21 ALL TIMES A VALID LICENSE AND A VALID FINGERPRINT CLEARANCE CARD.

22 2. ENSURE THAT EACH ALARM AGENT WHO IS AN EMPLOYEE OR UNDER CONTRACT
23 WITH THE ALARM BUSINESS HAS A VALID ALARM AGENT LICENSE, A VALID FINGERPRINT
24 CLEARANCE CARD AND, IF APPROPRIATE, THE REQUIRED TRAINING.

25 3. ENSURE THAT EACH ALARM BUSINESS IT CONTRACTS WITH IS DULY LICENSED
26 UNDER THIS CHAPTER.

27 4. INSTALL AN ALARM SYSTEM THAT IS COMPATIBLE WITH THE ENVIRONMENT,
28 TAKE REASONABLE MEASURES TO PREVENT THE OCCURRENCE OF FALSE ALARMS AND, IF IT
29 HAS AGREED TO PROVIDE MAINTENANCE OR REPAIR SERVICE TO THE SYSTEM, SERVICE
30 THE SYSTEM WITHIN SEVENTY-TWO HOURS OF A REQUEST FOR SERVICE.

31 5. PROVIDE WRITTEN AND ORAL INSTRUCTIONS IN THE PROPER USE AND
32 OPERATION OF THE ALARM SYSTEM TO EACH OF ITS ALARM SUBSCRIBERS AND THE
33 PRINCIPAL OCCUPANTS OF THE BUILDINGS OR PREMISES THAT ARE PROTECTED BY AN
34 ALARM SYSTEM. THE INSTRUCTIONS MUST SPECIFICALLY INCLUDE ALL INSTRUCTIONS TO
35 TURN THE ALARM SYSTEM ON AND OFF AND TO AVOID FALSE ALARMS.

36 6. PROVIDE TO EACH ALARM SUBSCRIBER, IN WRITING, INFORMATION ON HOW TO
37 CONTACT AND FILE A COMPLAINT WITH THE DEPARTMENT.

38 7. IF THE ALARM BUSINESS IS RESPONSIBLE FOR MONITORING THE ALARM,
39 PROVIDE THE ALARM SUBSCRIBER WITH A TAG IDENTIFYING THE PERTINENT ALARM
40 BUSINESS, INCLUDING THE TELEPHONE NUMBER TO CALL IF THE ALARM HAS BEEN
41 ACTIVATED.

42 8. INSTALL AN ALARM SYSTEM THAT WILL INACTIVATE THE AUDIBLE ALARM
43 WITHIN FIFTEEN MINUTES OF ITS ACTIVATION OR THAT CAN BE INACTIVATED BY THE
44 ALARM BUSINESS WITHIN FIFTEEN MINUTES OF NOTIFICATION OF THE ALARM IN CASE
45 THE ALARM SUBSCRIBER CANNOT BE REACHED TO INACTIVATE THE ALARM SYSTEM.

1 D. A PERSON SHALL NOT ACT AS AN ALARM AGENT WITHOUT HAVING AN ALARM
2 AGENT LICENSE OR HAVING APPLIED FOR AN ALARM AGENT LICENSE FROM THE
3 DEPARTMENT. A PERSON SHALL APPLY FOR AN ALARM AGENT LICENSE WITHIN FIVE
4 WORKING DAYS AFTER BEING EMPLOYED BY AN ALARM BUSINESS. A PERSON MAY WORK AS
5 AN ALARM AGENT FOR UP TO SIXTY DAYS FROM THE DATE OF APPLICATION WHILE
6 WAITING FOR RECEIPT OF THE ALARM AGENT LICENSE. A PERSON WHO VIOLATES THIS
7 SUBSECTION IS NOT ELIGIBLE TO RECEIVE AN ALARM AGENT LICENSE FOR ONE YEAR
8 AFTER THE DATE OF THE VIOLATION.

9 E. AN ALARM AGENT LICENSE APPLICATION AND AN ALARM AGENT LICENSE
10 RENEWAL APPLICATION SHALL INCLUDE:

11 1. THE NAME OF THE APPLICANT AND ANY ALIAS OR OTHER NAME, USED BY OR
12 BY WHICH THE APPLICANT HAS BEEN PREVIOUSLY KNOWN, THE APPLICANT'S CURRENT
13 RESIDENCE AND BUSINESS ADDRESSES, TELEPHONE NUMBERS, INCLUDING FAX NUMBERS,
14 AND ELECTRONIC ADDRESSES.

15 2. THE NAME, BUSINESS ADDRESS AND BUSINESS TELEPHONE NUMBER OF THE
16 ALARM BUSINESS WHERE THE APPLICANT IS OR WILL BE EMPLOYED.

17 3. PROOF THAT THE APPLICANT IS AT LEAST EIGHTEEN YEARS OF AGE AS
18 INDICATED ON A CURRENT DRIVER LICENSE WITH A PICTURE OR OTHER PICTURE
19 IDENTIFICATION DOCUMENT THAT IS ISSUED BY A GOVERNMENTAL AGENCY.

20 4. THE HEIGHT, WEIGHT, COLOR OF EYES AND HAIR AND DATE OF BIRTH OF THE
21 APPLICANT.

22 5. TWO CURRENT TWO INCH BY TWO INCH PHOTOGRAPHS OF THE APPLICANT.

23 6. INFORMATION AS TO WHETHER THE APPLICANT HAS EVER BEEN REFUSED OR
24 DENIED ANY SIMILAR LICENSE OR PERMIT OR HAS HAD ANY SIMILAR LICENSE OR PERMIT
25 REVOKED, CANCELED OR SUSPENDED AND THE REASON FOR THE REVOCATION,
26 CANCELLATION OR SUSPENSION.

27 7. A STATEMENT FROM THE APPLICANT'S EMPLOYER REQUESTING AND
28 AUTHORIZING ALARM AGENT STATUS FOR THE APPLICANT.

29 8. OTHER INFORMATION, EVIDENCE, STATEMENTS OR DOCUMENTS THAT THE
30 DEPARTMENT DEEMS REASONABLY NECESSARY TO PROCESS AND EVALUATE THE APPLICATION
31 OR RENEWAL.

32 D. THE DEPARTMENT SHALL SEND THE ALARM AGENT LICENSE DIRECTLY TO THE
33 APPLICANT'S EMPLOYER.

34 E. AN APPLICANT FOR AN ALARM AGENT LICENSE OR AN APPLICANT FOR RENEWAL
35 OF AN ALARM AGENT LICENSE SHALL NOTIFY THE DEPARTMENT, IN WRITING, OF ANY
36 CHANGE IN THE INFORMATION CONTAINED IN THE LICENSE APPLICATION OR RENEWAL
37 APPLICATION. THE APPLICANT OR LICENSEE SHALL NOTIFY THE DEPARTMENT WITHIN
38 FIFTEEN CALENDAR DAYS OF THE OCCURRENCE OF THE CHANGE.

39 F. AN ALARM AGENT SHALL CARRY THE ALARM AGENT LICENSE ON THE PERSON OF
40 AN ALARM AGENT AT ALL TIMES WHILE EMPLOYED AS AN ALARM AGENT, AND, ON
41 REQUEST, THE ALARM AGENT SHALL DISPLAY THE LICENSE TO ANY LAW ENFORCEMENT
42 AGENT OR EMPLOYEE OF THE DEPARTMENT.

1 C. THE DEPARTMENT SHALL GIVE NOTICE OF ANY DENIAL OF A LICENSE
2 APPLICATION, OR A REQUEST FOR RENEWAL, IN WRITING, EITHER PERSONALLY OR BY
3 MAIL, TO THE ADDRESS OF RECORD. THE NOTICE SHALL INCLUDE THE REASONS FOR
4 DENIAL OF THE LICENSE OR LICENSE RENEWAL.

5 44-7809. Suspension or revocation of alarm business license or
6 alarm agent license; grounds

7 THE DEPARTMENT MAY SUSPEND OR REVOKE ANY ALARM BUSINESS OR ALARM AGENT
8 LICENSE IF THE DEPARTMENT HAS REASONABLE GROUNDS TO BELIEVE ANY OF THE
9 FOLLOWING:

10 1. THE LICENSEE, OR ANY CONTROLLING PERSON, HAS VIOLATED ANY OF THE
11 GROUNDS FOR DENIAL OF A LICENSE AS DESCRIBED IN SECTION 44-7808.

12 2. THE LICENSEE, OR ANY CONTROLLING PERSON, HAS FAILED TO COMPLY WITH
13 THE REQUIREMENTS OF THIS CHAPTER, INCLUDING FAILURE TO PROVIDE ANY CHANGES IN
14 LICENSE INFORMATION.

15 3. THE LICENSEE HAS FAILED TO COMPLY WITH THE REQUIREMENTS OF THIS
16 CHAPTER RELATING TO ALARM BUSINESS OR ALARM AGENT RESPONSIBILITIES.

17 4. THE LICENSEE HAS FAILED TO MAINTAIN IN GOOD STANDING ALL LICENSES
18 THAT ARE REQUIRED PURSUANT TO THIS CHAPTER.

19 44-7810. Denial of license; suspension or revocation of
20 license; administrative review; judicial review

21 A. THE DEPARTMENT MAY ON INVESTIGATION REFUSE TO LICENSE ANY APPLICANT
22 OR MAY SUSPEND OR REVOKE ANY LICENSE PURSUANT TO TITLE 41, CHAPTER 6, ARTICLE
23 10 BY ENTERING AN ORDER TO THAT EFFECT, TOGETHER WITH FINDINGS IN RESPECT TO
24 THE ORDER AND BY NOTIFYING THE APPLICANT OR LICENSEE EITHER PERSONALLY OR BY
25 CERTIFIED MAIL, RETURN RECEIPT REQUESTED, SENT TO THE ADDRESS OF RECORD.

26 B. EXCEPT AS PROVIDED IN SECTION 41-1092.08, SUBSECTION H, A DECISION
27 OF THE DEPARTMENT IS SUBJECT TO JUDICIAL REVIEW PURSUANT TO TITLE 12, CHAPTER
28 7, ARTICLE 6.

29 44-7811. Denial of alarm business license or alarm agent
30 license; effect

31 A. A PERSON WHOSE APPLICATION FOR A LICENSE OR A RENEWAL OF A LICENSE
32 UNDER THIS CHAPTER HAS BEEN DENIED OR WHOSE LICENSE HAS BEEN SUSPENDED OR
33 REVOKED SHALL NOT APPLY FOR ANY LICENSE REQUIRED UNDER THIS CHAPTER WITHIN
34 ONE YEAR AFTER THE DENIAL, SUSPENSION OR REVOCATION OF THE LICENSE UNLESS THE
35 CAUSE OF THE DENIAL, SUSPENSION OR REVOCATION HAS, TO THE SATISFACTION OF THE
36 DEPARTMENT, BEEN REMOVED.

37 B. THIS SECTION DOES NOT APPLY TO A DENIAL OF AN APPLICATION OR A
38 DENIAL OF A RENEWAL OF A LICENSE IF THE REASON FOR DENIAL WAS FOR AN
39 ADMINISTRATIVE, TECHNICAL OR OTHERWISE NONMATERIAL REASON.

40 44-7812. Termination or cancellation of license

41 A. AN ALARM AGENT WHO TERMINATES EMPLOYMENT WITH AN ALARM BUSINESS
42 SHALL IMMEDIATELY SURRENDER THE ALARM AGENT'S LICENSE TO THE ALARM BUSINESS.
43 THE ALARM BUSINESS SHALL NOTIFY THE DEPARTMENT WITHIN FIVE BUSINESS DAYS
44 AFTER AN ALARM AGENT CEASES TO BE EMPLOYED BY THE ALARM BUSINESS AS AN
45 EMPLOYEE OR AGENT.

