

HOUSE BILL 591

By Reedy

AN ACT to amend Tennessee Code Annotated, Title 62,
Chapter 32, relative to alarm systems.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 32, Part 3, is amended by deleting the part and substituting:

62-32-301.

As used in this part, unless the context otherwise requires:

(1) "Alarm system" means an electrical device, signaling device, or combination of those devices used to signal or detect a burglary, fire, robbery, or medical emergency;

(2) "Alarm systems contractor" means a person, firm, association or corporation that sells or attempts to sell, installs, services, or monitors alarm systems, signal devices, fire alarms, burglar alarms, television cameras, or still cameras used to detect fire, burglary, breaking or entering, intrusion, shoplifting, pilferage, or theft; and

(3) "Monitoring" means any off-site central monitoring station or location that receives electronic burglar alarm, closed circuit television, or fire alarm signals from multiple locations and notifies or dispatches, or both, other persons to emergency burglaries, hold ups, thefts, vandalism, civil unrest, personal emergencies, or fire alarm conditions.

62-32-302.

(a)

(1) A county or municipality may provide monitoring or response services, or both, for alarm systems when deemed in the public interest by the legislative body of the county or municipality; provided, that:

(A) No charge is made by the county or municipality for the service unless the county or municipality was charging for the service on or before July 1, 1991;

(B) Use of local governmental services is not mandatory; and

(C) Response by local law enforcement, firefighters, or other emergency personnel is not conditional upon use of the services.

(2) Notwithstanding subdivision (a)(1)(A), a county or municipality shall not impose or collect a charge for responding to a false alarm caused exclusively by an act of nature.

(b) A county or municipality shall not enact legislation or promulgate rules or regulations relating to the licensing of alarm systems contractors.

(c) Notwithstanding subsection (b), this part does not prevent a county or municipality by legislation, rules, or regulations, and within the police power of the county or municipality, from requiring alarm systems contractors to register their names and addresses with the county or municipality within which they operate. The county or municipality may also require that alarm system contractors give reasonable notice of termination of agents. A county or municipality shall not charge a fee or require an application for the registration.

(d)

(1) This part does not prohibit counties or municipalities from enacting and imposing penalties for false alarms; provided, that the penalties must not exceed fifty dollars (\$50.00) for each false alarm.

(2) Notwithstanding subdivision (d)(1) or a charter, ordinance, or resolution to the contrary, a county or municipality shall not enact legislation, ordinance, or resolution requiring an alarm systems contractor to pay for, collect, or be responsible for fines or fees relative to false alarms, false alarm dispatches, alarm permits, or alarm renewal permits.

(e) Notwithstanding a charter, ordinance, or resolution to the contrary, a county or municipality shall not require an alarm systems contractor to acquire or pay for a permit or renewal permit to operate an alarm system at an alarm site that is owned or leased by a customer of the alarm systems contractor. However, this subsection (e) does not apply to an installation permit required by code.

62-32-303.

An owner of residential property that serves as the owner's primary residence may cancel a contract between the owner and an alarm systems contractor for the provision of alarm system services when the term of the contract is for a period longer than two (2) years by giving thirty-days' written notice to the alarm systems contractor after the initial two (2) years in the term if:

(1) The owner is required to sell the residential property due to medical reasons; and

(2) The owner provides the alarm systems contractor with a letter from the owner's treating physician verifying the medical reasons.

62-32-304.

(a) A contract having an automatic renewal clause between an alarm systems contractor and a homeowner or renter for the provision of alarm services may automatically be renewed for a period not to exceed one (1) year at a time. Any waiver

of the renewal limitation period included in the contract is void as contrary to public policy.

(b) At any time during an automatic renewal period provided by contract in accordance with subsection (a), a party to the contract who is being relocated to a hospital, nursing home, or assisted living facility may cancel the contract by giving thirty-days' written notice to the alarm systems contractor.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.