

**ASSEMBLY BILL**

**No. 1270**

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**Introduced by Assembly Member McPherson**

February 23, 1995

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An act to amend Sections 7593, 7598.4, and 7599.36 of the Business and Professions Code, relating to alarm companies.

LEGISLATIVE COUNSEL'S DIGEST

AB 1270, as introduced, McPherson. Alarm company operators: applications.

Under existing law, alarm company operators must file a written application for a license containing specified information, including the name of the applicant, and the location of the address for which the license is sought. In addition, within 3 working days after commencing employment, any employee performing the function of alarm agent, who is not registered with the Bureau of Security and Investigative Services is required to submit an application for registration, and his or her fingerprints.

This bill would provide that an application for an alarm company operator's license, and an alarm agent's application for registration with the bureau, and other employee records, are confidential under the Information Practices Act, which provides for release of information only under limited circumstances.

Under existing law, a licensed alarm company operator is required to maintain a file or record of specified information on employees, available to the bureau, as specified. Existing law prohibits the bureau and the Department of Consumer

Affairs from releasing that employee information to any persons other than governmental agencies, as specified.

This bill would delete that prohibition.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 7593 of the Business and  
2 Professions Code is amended to read:

3 7593. An application for an alarm company operator  
4 license shall be made in writing to, and filed with, the  
5 chief in ~~such~~ *the form as that* may be required by the  
6 director and shall be accompanied by the original license  
7 fee prescribed by this chapter. The chief may require the  
8 submission of any other relevant information, evidence,  
9 statements, or documents.

10 Every application for an alarm company operator  
11 license shall state, among other things that may be  
12 required, the name of the applicant with the name under  
13 which the applicant will do business, and the location by  
14 street and number, and city of the office of the business  
15 for which the license is sought. *An application for an  
16 alarm operator license is confidential under the  
17 Information Practices Act of 1977 (Chapter 1  
18 (commencing with Section 1798) of Title 1.8 of Part 4 of  
19 Division 3 of the Civil Code) and shall not be released to  
20 the public.*

21 No license shall be issued in any fictitious name which  
22 may be confused with or which is similar to any federal,  
23 state, county, or municipal governmental function or  
24 agency or to any law enforcement agency, or in any name  
25 which may tend to describe any business function or  
26 enterprise not actually engaged in by the applicant.

27 SEC. 2. Section 7598.4 of the Business and Professions  
28 Code is amended to read:

29 7598.4. Within three working days after commencing  
30 employment, any employee performing the function of  
31 alarm agent, who is not currently registered with the  
32 bureau, shall submit to the bureau a completed



1 application for registration, two classifiable fingerprint  
2 cards, and the appropriate registration fee. *An*  
3 *application for registration, and other employee records,*  
4 *are confidential under the Information Practices Act of*  
5 *1977 (Chapter 1(commencing with Section 1798) of Title*  
6 *1.8 of Part 4 of Division 3 of the Civil Code) and shall not*  
7 *be released to the public.*

8 No application is required to be submitted if the  
9 employee terminated employment within the three  
10 working days. “Within three working days” means 72  
11 hours from the time an employee is first compensated for  
12 alarm agent services by a licensee.

13 SEC. 3. Section 7599.36 of the Business and  
14 Professions Code is amended to read:

15 7599.36. Each licensee shall maintain a file or record  
16 containing the name, address, commencing date of  
17 employment, and position of each employee, and the date  
18 of termination. ~~Such~~ *Those* files and records shall be  
19 retained during the time of employment and for a period  
20 of not less than two years thereafter, and, together with  
21 usual payroll records, shall be available for inspection by  
22 the bureau, and copies thereof and information  
23 pertaining thereto or contained therein shall be  
24 submitted to the bureau upon written request. A  
25 violation concerning the maintenance of the files or  
26 records may result in a fine of twenty-five dollars (\$25)  
27 for each violation. ~~The bureau and the department shall~~  
28 ~~not release the names or addresses to any persons other~~  
29 ~~than governmental agencies that need the information~~  
30 ~~for purposes required by law.~~

31 A failure of a licensee to respond to the bureau’s request  
32 to forward copies of the files or records and information  
33 pertaining thereto or contained therein within 30 days of  
34 the bureau’s request may result in a fine of twenty-five  
35 dollars (\$25) and ten dollars (\$10) for each additional day  
36 that elapses following the 30th day.

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