

Assembly Bill No. 1270

CHAPTER 359

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

[Approved by Governor August 3, 1995. Filed with
Secretary of State August 4, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1270, McPherson. Alarm company operators: alarm agents: 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 information on an application for an alarm company operator's license and on an alarm agent's application for registration with the bureau is confidential under the Information Practices Act, and shall not be released to the public, except as specified. The bill would also provide that these restrictions shall not preclude release of information to the public regarding the status of an operator's license or the status of a registrant or the release of information to law enforcement or other governmental agencies for other authorized purposes.

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.

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

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

7593. An application for an alarm company operator license shall be made in writing to, and filed with, the chief in the form that may be required by the director and shall be accompanied by the original license fee prescribed by this chapter. The chief may require the



submission of any other relevant information, evidence, statements, or documents.

Every application for an alarm company operator license shall state, among other things that may be required, the name of the applicant with the name under which the applicant will do business, and the location by street and number, and city of the office of the business for which the license is sought. All information obtained on the application shall be confidential pursuant to the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code) and shall not be released to the public except for the registrant's full name, the employer's name and address, and the registration number. Nothing in this section shall preclude the release of information to the public regarding the status of an operator's license, or the release of information to law enforcement agencies or other governmental agencies for other authorized purposes.

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

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

7598.4. Within three working days after commencing employment, any employee performing the function of alarm agent, who is not currently registered with the bureau, shall submit to the bureau a completed application for registration, two classifiable fingerprint cards, and the appropriate registration fee. All information obtained on the application shall be confidential pursuant to the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code) and shall not be released to the public except for the registrant's full name, the employer's name and address, and the registration number. Nothing in this section shall preclude the release of information to the public regarding the status of a registrant, or the release of information to law enforcement agencies or other governmental agencies for other authorized purposes.

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

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

7599.36. Each licensee shall maintain a file or record containing the name, address, commencing date of employment, and position of each employee, and the date of termination. Those files and



records shall be retained during the time of employment and for a period of not less than two years thereafter, and, together with usual payroll records, shall be available for inspection by the bureau, and copies thereof and information pertaining thereto or contained therein shall be submitted to the bureau upon written request. A violation concerning the maintenance of the files or records may result in a fine of twenty-five dollars (\$25) for each violation.

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

