

House Bill 465 (AS PASSED HOUSE AND SENATE)

By: Representatives Gullett of the 19th, Gravley of the 67th, Ridley of the 6th, Momtahan of the 17th, Singleton of the 71st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties and municipal corporations, so as to prohibit local
3 governments from imposing civil penalties upon an alarm system contractor for a false alarm
4 that occurs through no fault of the alarm system contractor; to provide for definitions; to
5 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general
10 provisions applicable to counties and municipal corporations, is amended by adding a new
11 Code section to read as follows:

12 "36-60-28.

13 (a) As used in this Code section, the term:

14 (1) 'Alarm system' shall have the same meaning as provided in Code Section 43-14-2.

15 (2) 'Alarm system contractor' shall mean any alarm system monitoring business or alarm
16 system installation and repair business.

17 (3) 'Alarm system installation and repair business' means any person engaged in leasing,
18 maintaining, servicing, repairing, altering, replacing, installing or inspecting any alarm
19 system, or in causing any alarm system to be leased, maintained, serviced, repaired,
20 altered, replaced, or installed in any building, structure, or facility.

21 (4) 'Alarm system monitoring business' means any company that intercepts signals
22 indicating the activation of an alarm system and relays this information to a public safety
23 agency.

24 (5) 'False alarm' means the activation of any alarm system that results in a request for
25 police assistance for which the responding public safety agency finds no evidence of
26 criminal activity.

27 (6) 'Local government' means any county or municipality of this state.

28 (7) 'Public safety agency' shall have the same meaning as provided in Code
29 Section 16-10-28.

30 (b) Notwithstanding any other provision of law, a local government may enact, adopt, or
31 enforce any ordinance, resolution, or regulation requiring any alarm system contractor to
32 pay for or be responsible for any fines, fees, or other penalties relative to false alarms only
33 in situations when the false alarm is attributed to an error of the alarm system contractor
34 or improper installation by the alarm system contractor or if the alarm system contractor
35 cannot provide evidence of telephone logs, other electronic means, or visual evidence that
36 the alarm verification process as provided in Code Section 35-1-9 was followed. In cases
37 where the alarm system contractor was in compliance with such provisions, a local
38 government may require that the alarm user responsible for the false alarm pay for or be
39 responsible for any fines, fees, or other penalties relative to false alarms."

40 **SECTION 2.**

41 This Act shall become effective upon its approval by the Governor or upon its becoming law
42 without such approval.

43

SECTION 3.

44 All laws and parts of laws in conflict with this Act are repealed.