
By: Chairman, Economic Matters Committee (Departmental - State Police, Dept. of)

Introduced and read first time: January 29, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Security Systems Technicians - Licensure**

3 FOR the purpose of altering a certain requirement that prohibits certain information
4 from being divulged, except by court order, to persons who are not members of the
5 Department of State Police; specifying that certain licensing fees include the cost of
6 fingerprint card record checks; exempting a portion of those fees from being paid
7 into the General Fund of the State; specifying that certain license applicants shall
8 submit a set of their fingerprints as part of the application process; altering the
9 method by which a certain license shall be displayed; reducing the minimum amount
10 of a certain bond required of certain employers providing security systems services;
11 requiring certain employers to execute a certain bond of at least a certain amount
12 under certain circumstances; providing for the liability under and coverage of
13 certain bonds; providing for the effective date of this Act; and generally relating to
14 the licensing requirements of security systems technicians.

15 BY repealing and reenacting, with amendments,
16 Article - Business Occupations and Professions
17 Section 18-203, 18-204, 18-303(a), 18-307(c), 18-308(a), and 18-401
18 Annotated Code of Maryland
19 (1995 Replacement Volume and 1995 Supplement)

20 BY adding to
21 Article - Business Occupations and Professions
22 Section 18-402
23 Annotated Code of Maryland
24 (1995 Replacement Volume and 1995 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

2

1 **Article - Business Occupations and Professions**

2 18-203.

3 The Secretary and all members of the Department of State Police:

4 (1) shall treat as confidential any information obtained through an
5 investigation of an applicant for a license under this title; and

6 (2) unless required by a court order, may not divulge to a person who is not
7 a [member of the Department of State Police] LAW ENFORCEMENT OFFICER any
8 information obtained through an investigation of an applicant for a license under this
9 title.

10 18-204.

11 [The] EXCEPT FOR THE COST OF FINGERPRINT CARD RECORD CHECKS, THE
12 Secretary shall pay all money collected under this title into the General Fund of the State.

13 18-303.

14 (a) An applicant for a license shall:

15 (1) submit to the Secretary an application on the form that the Secretary
16 provides;

17 (2) submit the documents required by this section; and

18 (3) pay to the Secretary an application fee of \$150 WHICH SHALL INCLUDE
19 THE COST OF A FINGERPRINT CARD RECORD CHECK.

20 18-307.

21 (c) Before the license expires, the licensee periodically may renew it for an
22 additional 2-year term, if the licensee:

23 (1) otherwise is entitled to be licensed;

24 (2) pays to the Secretary a renewal fee of \$100 WHICH SHALL INCLUDE
25 THE COST OF A FINGERPRINT CARD RECORD CHECK or the fee provided in subsection
26 (e) of this section, if applicable; and

27 (3) submits to the Secretary:

28 (i) a renewal application on the form that the Secretary provides;

29 [and]

30 (II) A SET OF FINGERPRINTS OF THE LICENSEE; AND

31 [(ii)] (III) satisfactory evidence of compliance with any other
32 requirements set under this section for license renewal.

33 18-308.

34 (a) Each licensee shall CARRY AND display the license [conspicuously in the
35 office or place of business of the licensee] ON DEMAND OF ANY CUSTOMER OR LAW
36 ENFORCEMENT OFFICER.

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1 18-401.

2 (a) (1) An employer shall execute a blanket bond covering all employees who
3 are licensed as security systems technicians or applicants for a license and any electrician
4 with whom the employer contracts to provide security systems services.

5 (2) The bond shall be used for the benefit of any person injured by any
6 wrongful act of a security systems technician that is willful or malicious.

7 (3) The applicant for a license shall submit a copy of the bond to the
8 Secretary with the license application.

9 (b) (1) The amount of the bond required under subsection (a) of this section
10 shall be at least \$100,000 FOR THE EMPLOYER.

11 (2) The total liability of the surety to all insured persons under the bond
12 may not exceed the sum of the bond.

13 (c) (1) If an employer's bond is cancelled, forfeited, or terminated by the
14 surety, the surety shall immediately notify the Secretary.

15 (2) If a surety fails to notify the Secretary as required by this subsection, the
16 bond shall continue in effect until the notice is given to the Secretary.

17 (d) In addition to § 18-504 of this title, a court of competent jurisdiction may
18 enjoin the operation of any employer who violates the requirements of this section.

19 18-402.

20 (A) (1) AN EMPLOYER SHALL EXECUTE A FIDELITY BOND COVERING ALL
21 EMPLOYEES WHO ARE LICENSED AS SECURITY SYSTEMS TECHNICIANS OR
22 APPLICANTS FOR A LICENSE AND ANY ELECTRICIAN WITH WHOM THE EMPLOYER
23 CONTRACTS TO PROVIDE SECURITY SYSTEMS SERVICES.

24 (2) THE BOND SHALL BE USED FOR THE BENEFIT OF ANY PERSON
25 INJURED BY ANY WRONGFUL ACT OF A SECURITY SYSTEMS TECHNICIAN THAT IS
26 WILLFUL OR MALICIOUS.

27 (3) THE APPLICANT FOR A LICENSE SHALL SUBMIT A COPY OF THE
28 BOND TO THE SECRETARY WITH THE LICENSE APPLICATION.

29 (B) (1) THE AMOUNT OF THE BOND REQUIRED UNDER SUBSECTION (A) OF
30 THIS SECTION SHALL BE AT LEAST \$50,000.

31 (2) THE TOTAL LIABILITY OF THE SURETY TO ALL INSURED PERSONS
32 UNDER THE BOND MAY NOT EXCEED THE SUM OF THE BOND.

33 (C) (1) IF AN EMPLOYER'S BOND IS CANCELLED, FORFEITED, OR
34 TERMINATED BY THE SURETY, THE SURETY SHALL IMMEDIATELY NOTIFY THE
35 SECRETARY.

36 (2) IF A SURETY FAILS TO NOTIFY THE SECRETARY AS REQUIRED BY
37 THIS SUBSECTION, THE BOND SHALL CONTINUE IN EFFECT UNTIL THE NOTICE IS
38 GIVEN TO THE SECRETARY.

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1 (D) IN ADDITION TO § 18-504 OF THIS TITLE, A COURT OF COMPETENT
2 JURISDICTION MAY ENJOIN THE OPERATION OF ANY EMPLOYER WHO VIOLATES
3 THE REQUIREMENTS OF THIS SECTION.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 June 1, 1996.