

**Department of Legislative Services**  
Maryland General Assembly  
2002 Session

**FISCAL NOTE**  
**Revised**

House Bill 1116 (Delegate McHale)

Commerce and Government Matters

Judicial Proceedings

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**Maryland Security Systems Technicians Act - Licensing and Registration**

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This bill makes changes to provisions of the Maryland Security Systems Technicians Act.

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**Fiscal Summary**

**State Effect:** The bill's changes to security systems technician licensure provisions are not expected to have a measurable effect on the operations or finances of the Licensing Division of the Department of State Police.

**Local Effect:** None. The bill does not alter local licensing or regulation of security system agencies or security system users.

**Small Business Effect:** Minimal.

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**Analysis**

**Bill Summary:** This bill makes the following changes to the Security Systems Technicians Act:

- alters the format of a licensing certificate for an individual first licensed in another state;
- authorizes the Maryland State Department of Education (MSDE), in conjunction with the Secretary of Labor, Licensing, and Regulation, to establish by regulation a cooperative education program; and
- alters the composition of the five-member advisory panel that the Secretary may appoint for a hearing before taking a final action against an applicant or registrant (to

deny a registration or to reprimand any registrant, or suspend or revoke a registration) by reducing from three to two the number of consumer representatives and adding a person who has engaged the services of a security systems agency.

The bill provides that a hearing before an advisory panel does not preclude a hearing before the Secretary, and the registrant has the option of having a hearing before the Secretary or before the advisory panel.

**Current Law:** Under the Maryland Security Systems Technicians Act (Title 18 of the Business Occupations and Professions Article), the Secretary of State Police is responsible for the licensing of security system agencies and the registration of security systems technicians. The Act does not preempt local governments from licensing or regulating security system agencies or security system users.

Under these provisions, the Secretary may deny a license or registration to any applicant, reprimand any licensee or registrant, or suspend or revoke a license or registration if the person violates a provision of the Act. An aggrieved party is entitled a hearing under the Administrative Procedure Act. A person who violates any provision of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding one year or both.

**Background:** During the 1994 session, the General Assembly created a new licensing procedure for security systems technicians under the Maryland State Police. The public had expressed many concerns regarding the access to residential homes granted to individuals involved in the security system industry. The concern was particularly acute in 1994 in light of the activities of the so-called crossbow rapist in the Washington Metropolitan area who posed as a security system consultant to gain information about and access to his victims. In 1995 the General Assembly delayed the effective date for licensure of security systems technicians until June 1, 1996. This delay allowed the security system industry and the Department of State Police to resolve technical difficulties that had arisen related to implementation.

As of June 30, 2001, 715 security system agencies/companies were licensed by the State, with a total of 5,508 registered employees. An additional 246 employees of those companies are on probationary status, awaiting clearance from the required National Criminal Records Check. In addition, another 39 agencies, with a total of 326 employees, have applied for new licenses.

All licensing and regulatory activities relating to security systems technicians are performed by the Licensing Division of the Department of State Police and are handled by the existing budgeted resources of the department. In addition to security system

technician agencies and employees, the Licensing Division oversees the licensing and regulation of private detectives and agencies, security guards and agencies, special police commissions, railroad police commissions, canine registration for certified police dogs, and handgun permits.

In November 2001, the Department of Legislative Services (DLS) recommended that the Legislative Policy Committee waive the licensing and regulation of security systems technicians from full evaluation and that legislation be enacted to extend the termination date by 12 years to July 1, 2016.

**State Fiscal Effect:** Cooperative education programs are generally operated by local boards of education. A local program may apply to MSDE to be placed on an “approved list” of cooperative education programs only if the program seeks certain State or federal grant assistance. The cooperative education program currently operated by the University of Maryland University College (UMUC) is available only to qualified persons seeking a degree with UMUC.

While this bill allows MSDE to establish a cooperative education program for minors to learn the security system trade, MSDE advises that it has no intention of establishing such a program in the foreseeable future. Accordingly, for the foreseeable future, this provision of the bill would not affect State finances.

**Additional Comments:** Under the provisions of Title 18, security systems technicians’ appeals from regulatory decisions of the Superintendent of State Police are forwarded to the Office of Administrative Hearings for hearing and recommendation. The Security Technicians Advisory Panel, established under the regulatory authority of the State Police applicable to this industry, has no statutory authority for action and has never met. Therefore, DLS recommended that the State Police submit a report to the Legislative Policy Committee by October 1, 2002, on the continuing need, if any, for the Security Technicians Advisory Panel as well as its progress in implementing all new responsibilities related to security systems under Chapter 649, Acts of 2001. If the Department of State Police determines there is no continuing need for the advisory panel, the department should also submit departmental legislation to repeal the advisory panel.

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### **Additional Information**

**Prior Introductions:** In 2001 a similar bill, HB 1368, received an unfavorable report from the Commerce and Government Matters Committee.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education; Department of State Police; Department of Labor, Licensing, and Regulation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2002  
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