

Department of Legislative Services  
Maryland General Assembly  
2004 Session

FISCAL AND POLICY NOTE

House Bill 182 (Delegates Fulton and Goodwin)  
Economic Matters

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Alarm Systems - Registration, Use, and Response

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This bill increases, from \$30 to \$40, the civil monetary penalty that a law enforcement unit or fire department may assess for a negligent or accidental alarm activation or false alarm. A county is authorized to require that an alarm user register an alarm system. The bill prohibits a county from charging an alarm system registration fee. Instead, a county may impose a fine or civil penalty if an alarm user fails to register an alarm system. The bill also prohibits a law enforcement unit or fire department from not responding to a signal because an alarm system is unregistered.

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Fiscal Summary

**State Effect:** None. Any enforcement requirements for the State Fire Marshal could be handled with existing budgeted resources.

**Local Effect:** Potential revenue increases and decreases and expenditure increases for those jurisdictions that now operate an alarm system registration program and charge an associated fee. **This bill may impose a mandate on a unit of local government in some jurisdictions.**

**Small Business Effect:** None.

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Analysis

**Current Law:** With specified exceptions, a law enforcement unit or fire department may issue a civil citation to an alarm user for the negligent or accidental activation of an alarm system as a result of faulty, malfunctioning, or improperly installed or maintained equipment or for a false alarm if the number of activations or false alarms to which the

unit or department responds exceeds: (1) three responses within a 30-day period; or (2) eight responses within a 12-month period. A civil citation must assess a penalty of \$30 for each negligent or accidental activation or false alarm.

An alarm system that is activated more than once within a 12-hour period when a premises with an alarm system is unoccupied and that is not in response to an actual emergency situation or threatened suggested criminal activity constitutes one false alarm if: (1) access to the building is provided to the alarm system contractor; and (2) an alarm system contractor or an employee of an alarm system contractor responds to the activated alarm system.

Frederick County and Calvert County are exempt from some current provisions because they have adopted an alarm system registration program that qualifies those jurisdictions only for the exemption.

**Local Fiscal Effect:** Kent County and Worcester County advise that this bill would have little, if any, fiscal or operational impact. However, Montgomery County reports that it is one of eight jurisdictions with a current alarm reduction program in place. The others are Baltimore City and Baltimore, Calvert, Charles, Frederick, Howard, and Prince George's counties. These jurisdictions are believed to charge an alarm system registration fee.

Montgomery County currently has 66,474 registered alarm users. There are about 8,000 new registrants per year. In fiscal 2003, new alarm user registration fees (\$30 each) totaled \$253,230, and in calendar 2003 renewal fees (\$15 each, every two years) totaled \$239,810. Montgomery County believes that, under this bill, the collection of alarm user fees, which are used as the county's primary enforcement tool to reduce false alarms, would cease and new enforcement costs would have to be budgeted. The new costs, estimated by Montgomery County to be about \$364,000 annually (not including about \$100,000 in computer reprogramming costs), would include the hiring of two program specialists, increased patrol costs of about \$225,000, and new costs associated with using citations and fines for compliance (including additional workload requirements for the County Attorney). Montgomery County also believes that the other seven jurisdictions with an alarm system registration program would experience similar revenue losses and new expenditures.

The Department of Legislative Services advises that, while Montgomery County's revenues from alarm user registration fees would decrease under the bill, the additional expenditures are overstated and the bill's changes could be handled with the hiring of the two additional program specialists, the reassignment of current personnel, and some new costs attributable to tracking, for actual new costs considerably less than those declared by Montgomery County. For all jurisdictions with existing registration programs, such costs would likely vary.

Any additional revenue associated with the bill's increase in civil citation fines is not expected to be significant in any one jurisdiction.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Montgomery County, Kent County, Worcester County, Department of State Police (State Fire Marshal), Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2004  
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