

By: Senator(s) Michel, Williams

To: Insurance

SENATE BILL NO. 2856

1 AN ACT TO AMEND SECTION 73-69-5, MISSISSIPPI CODE OF 1972, TO
 2 REVISE THE DEFINITION OF THE TERM "ELECTRONIC PROTECTIVE SYSTEM"
 3 AS USED IN THE MISSISSIPPI ELECTRONIC PROTECTION LICENSING ACT TO
 4 INCLUDE A BATTERY-CHARGED SECURITY FENCE; TO DEFINE THE TERM
 5 "BATTERY-CHARGED SECURITY FENCE"; TO AMEND SECTION 73-69-27,
 6 MISSISSIPPI CODE OF 1972, TO PROHIBIT MUNICIPAL OR COUNTY
 7 ORDINANCES WHICH IMPOSE CERTAIN REQUIREMENTS RELATING TO THE
 8 INSTALLATION OR USE OF A BATTERY-CHARGED FENCE; AND FOR RELATED
 9 PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 73-69-5, Mississippi Code of 1972, is
 12 amended as follows:

13 73-69-5. As used in this chapter, the following terms shall
 14 have the meanings specified in this section:

15 (a) "Alarm contracting" means providing an electronic
 16 protective system to another, including, but not limited to, the
 17 design, planning with the intent to pre-wire, pre-wiring,
 18 installation, maintenance, repair, testing, modification,
 19 improvement, alteration, inspection or servicing of an electronic
 20 protective system; holding * * * one's self or one's company out



21 for hire to perform any such task; or otherwise offering to
22 perform any such task for compensation directly.

23 (b) "Alarm contracting company" means an entity that
24 holds a Class A license issued by the State Fire Marshal pursuant
25 to this chapter.

26 (c) "Alarm verification" means an attempt by a
27 monitoring company or its representative to contact a burglar
28 alarm location or a burglar alarm user by telephone or other
29 electronic means to determine whether a burglar alarm signal is
30 valid in an attempt to avoid unnecessary police response before
31 requesting law enforcement to be dispatched to the location.
32 Alarm verification further means that at least a second call shall
33 be made to a different number if the first attempt fails to reach
34 an alarm user. All persons licensed to monitor alarms in
35 Mississippi shall employ alarm verification standards as defined
36 in the latest version of ANSI/CSAA CS-V-01, for all burglar alarm
37 signals except for hold-up alarms.

38 (d) "Board" means the Electronic Protection Advisory
39 Licensing Board.

40 (e) "Burglar alarm" or "burglar alarm system" or
41 "intrusion detection system" or "electronic protective system"
42 means an alarm, alarm system or portion of such an alarm or system
43 that is intended to detect or warn of an intrusion or other
44 emergency in a structure. Such systems shall be certified per the
45 latest version of ANSI/SIA CP01.



46 (f) "Company" means a proprietorship, partnership,
47 corporation, limited liability company or any other entity.

48 (g) "Designated agent" means an owner or employee who
49 holds a Class B license of an alarm contracting company who has
50 been assigned the responsibility of submitting any notice required
51 by this chapter to the State Fire Marshal.

52 (h) "Supervision" means direct on-site supervision by a
53 qualified license holder for the duties being performed.

54 (i) "Electronic protective system" means a device or a
55 series or assembly of interconnected devices which, when activated
56 by automatic or manual means, produces an audible, visual or
57 electronic signal intended to detect or warn of a threat to a
58 structure or emergency to or from its occupants. This term shall
59 include a battery-charged security fence, burglar alarm system,
60 intrusion detection system, closed-circuit video system or
61 electronic access control system, all as defined in this chapter,
62 or a portion or combination of such alarms or systems. However,
63 the term "electronic protective system" shall not include the
64 following: (i) an alarm system installed in a motor vehicle; (ii)
65 a burglar alarm system, or household fire-warning system sold at
66 retail to an individual end user for self-installation; (iii) a
67 single-station fire alarm system sold at retail to an individual
68 end user for self-installation or installed by a fire department,
69 the State Fire Marshal's Office, a public agency, a volunteer fire
70 association or their designated representatives.



71 (j) "Employee" means a person who performs services for
72 wages or salary.

73 (k) "Employer" means a person or entity who hires
74 another to perform services for a wage or salary.

75 (l) "Individual license" means a Class B, C, D or H
76 license issued by the State Fire Marshal pursuant to this chapter.

77 (m) "Licensee" means a person or entity to which a
78 license is granted pursuant to this chapter.

79 (n) "Officer" means the president, vice president,
80 secretary, treasurer, comptroller or any other person who performs
81 functions for an alarm contracting company, corresponding to those
82 performed by those officers.

83 (o) "Operating location" means a physical address that
84 houses or maintains records of clients.

85 (p) "Person" means a natural person or individual.

86 (q) "Principal" means a person or entity that owns at
87 least twenty percent (20%) of an alarm contracting company
88 regardless of the form of organization.

89 (r) "Salesperson" means a person who solicits another
90 on behalf of an alarm contracting company by door-to-door personal
91 interaction, or a person who participates in the design, planning,
92 specification or layout of an electronic protective system on
93 behalf of an alarm contracting company.

94 (s) "Closed-circuit video system" means an electronic
95 protective system that provides video surveillance of events,



96 primarily by means of transmission, recording, or transmission and
97 recording of visual signals through the use of cameras, receivers,
98 monitors and other visual imaging systems.

99 (t) "Electronic access control system" means an
100 electronic protective system that is powered by the building's
101 primary power source and is used as a process to grant or deny an
102 individual access to a specific area or object based upon their
103 possession of an item (which requires a decoder), a code or
104 physical characteristic (biometrics).

105 (u) "Smoke alarm" means a single_ or multiple-station
106 alarm responsive to smoke.

107 (v) "Single-station alarm" means a detector comprising
108 an assembly that incorporates sensor, control components and an
109 alarm notification appliance in one (1) unit operated from a power
110 source either located in the unit or obtained at the point of
111 installation.

112 (w) "Multiple-station alarm" means two (2) or more
113 single-station alarm devices that can be interconnected so that
114 actuation of one causes all integral or separate audible alarms to
115 operate; or one (1) single-station alarm device having connections
116 to other detectors or to a manual fire alarm box.

117 (x) "Heat detector" means a fire detector that detects
118 either abnormally high temperature or rate-of-temperature rise, or
119 both.



120 (y) "Battery-charged security fence" means an alarm
121 system and ancillary components, or equipment attached to such a
122 system, including, but not limited to, a fence, a battery-operated
123 energizer which is intended to periodically deliver voltage
124 impulses to the fence connected to it, and a battery-charging
125 device used exclusively to charge the battery. The
126 battery-charged security fence shall meet all the following
127 requirements:

128 (i) Interfaces with a monitored alarm device in a
129 manner that enables the alarm system to transmit a signal intended
130 to summon the business and/or law enforcement in response to an
131 intrusion or burglary;

132 (ii) Is located on property that is not designated
133 by a municipality or county exclusively for residential use;

134 (iii) Has an energizer that is powered by a
135 commercial storage battery that is not more than twelve (12) volts
136 of direct current;

137 (iv) Has an energizer that meets the standards set
138 forth by the International Electrotechnical Commission Standard
139 60335-2-76, current edition;

140 (v) Is surrounded by a nonelectric perimeter fence
141 or wall that is not less than five (5) feet in height;

142 (vi) Does not exceed ten (10) feet in height or
143 two (2) feet higher than the nonelectric perimeter fence or wall



144 described in subparagraph (v) of this paragraph, whichever is
145 higher;

146 (vii) Is marked with conspicuous warning signs
147 that are located on the Battery-charged security fence at not more
148 than 30-foot intervals and that read: "WARNING - ELECTRIC FENCE".

149 **SECTION 2.** Section 73-69-27, Mississippi Code of 1972, is
150 amended as follows:

151 73-69-27. (1) Except for requirements which pertain to all
152 types of businesses generally, no county or municipality shall
153 enact any new ordinance, rule or regulation regulating companies
154 and persons subject to licensure pursuant to this chapter.

155 (2) This chapter shall supersede any existing county or
156 municipal ordinance, rule or regulation requiring certification or
157 licensure of companies and persons engaged in alarm contracting,
158 and such ordinances, rules and regulations shall be null, void and
159 of no effect.

160 (3) Additionally, this chapter shall supersede any existing
161 county or municipal ordinance, rule or regulation requiring
162 certification or licensure of companies and persons engaged in
163 alarm contracting, battery-charged security fence contracting,
164 closed-circuit video system contracting or electronic access
165 control system contracting and such ordinances, rules and
166 regulations shall be null, void and of no effect.

167 (4) Notwithstanding any other law, a municipality or county
168 may not adopt or enforce an ordinance, order or regulation that:



169 (a) Requires a permit or fee for the installation or
170 use of a battery-charged security fence that is in addition to an
171 alarm system permit issued by the municipality or county; no
172 further permit or fee shall be required for the battery-charged
173 fence;

174 (b) Imposes installation or operational requirements
175 for the battery-charged security fence that are inconsistent with
176 the requirements and standards described in Section 73-69-5(y); or

177 (c) Prohibits the installation or use of a
178 battery-charged security fence.

179 **SECTION 3.** This act shall take effect and be in force from
180 and after July 1, 2022.

