

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 304 Department or Agency Alabama Electronic Security Board of
Licensure

Rule No. 304-X-1-.03

Rule Title: Fees

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Lynne Taunter*

Date March 19, 2013

(DATE FILED)
(STAMP)

ALABAMA ELECTRONIC SECURITY BOARD OF LICENSURE

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Electronic Security Board of Licensure

RULE NO. & TITLE: 304-X-1-.03 Fees

INTENDED ACTION: To Amend Rule

SUBSTANCE OF PROPOSED ACTION:

To replace the word "company" with "licensee or Qualifying Agent (QA)" in 4(f).

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments may be submitted to; Alabama Electronic Security Board of Licensure, 7956 Vaughn Road, PMB 392, Montgomery, AL 36116.

Public Hearing; Tuesday, May 14, 2013, 9:30 a.m., Alabama Industrial Development Training Center, One Technology Court, Montgomery, Alabama

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

May 14, 2013

CONTACT PERSON AT AGENCY:

Lynne Taunton, Executive Secretary, Alabama Electronic Security Board of Licensure, 7956 Vaughn Road, PMB 392, Montgomery, AL 36116.
Phone: (334) 264-9388


Lynne Taunton, Executive Secretary

304-X-1-.03

Fees.

(1) Fees are to be paid to the Board of Licensure by personal check, business check, or by money order:

Administrative Fee	\$150.00 One time fee upon the first application
Partnership or Sole Proprietorship	\$150.00 Annually
Company or Corporation	\$200.00 Annually
Branch Location	\$200.00 Annually
Qualifying Agent (the person responsible)	\$75.00 Annually
Registrant / Individual	\$25.00 Annually
Lost/Replacement ID Card	\$12.50 Issued
Return Check	Maximum amount allowed by law
Central Station Fee	Company License Fee \$200.00, Plus \$12.50 per monitoring operator. Additional \$12.50 per photo ID, if requested.

(2) Fees are to be paid to the Alabama Bureau of Investigation (ABI) by business check or money order:

Fee for processing New Applicant FBI criminal background report	Range from \$44.25 to \$61.00
Fee for processing criminal background report from ABI Form-46	Range from \$25.00 to \$32.00

(3) If the applicant fails to renew license within 30 days of expiration, he or she must reapply as a new applicant. A new company or an applicant that applies for a new license after July 1st is required to pay only one-half of the annual fees plus the administrative fee, and that applicant's license will expire on December 31st of that year.

(4) All companies, unless specifically exempt by Chapter 1A of Title 34, Code of Ala. 1975, which sell, install, monitor or otherwise operate in the burglar alarm, electronic access control, CCTV, or locksmith business in the State of Alabama must obtain a license from this Board in a timely manner or shall be subject to the following monetary penalties:

(a) Companies which are currently in the burglar alarm, electronic access control, CCTV, or locksmith business and do not renew a license by December 31st shall be a new applicant and shall pay all applicable fees.

(b) Companies which are currently in the burglar alarm, electronic access control, CCTV, or locksmith business and do not obtain a license by April 30th shall be fined \$500.00 for the current year.

(c) Companies which are currently operating in the burglar alarm, electronic access control, CCTV, or locksmith business and do not obtain a license by June 30th, the fine shall be \$1,000.00 per violation.

(d) Fines may be imposed and collected by the staff.

(e) All fines must be individually approved by the Board at the next official Board meeting following staff notification.

(f) Following notice of a fine, a ~~company~~ licensee and/or Qualifying Agent (QA) must make a written and /or in person appeal of extenuating circumstances for non-licensure or late renewal to the Board at the next meeting. If no appeal is provided the Board at its next official meeting, the fine will be due and payable.

(g) The Board may reduce or cancel any fine following any appeal hearing.

Author: Fred Crawford

Statutory Authority: Code of Ala. 1975, § 34-1A

History: **New Rule:** Filed January 20, 1998; effective February 24, 1998.

Amended: Filed April 26, 2000; effective May 31, 2000.

Amended: Filed May 25, 2004; effective June 29, 2004.

Amended: Filed November 13, 2007; effective December 18, 2007.

Amended: Filed November 21, 2008; effective December 26, 2008.

Amended: Filed February 18, 2010; effective March 25, 2010.

Amended: Filed August 20, 2010; effective September 24, 2010.

Amended: Filed November 14, 2011; effective December 19, 2011.