



H.B. 255

125th General Assembly
(As Introduced)

Reps. Setzer, Seitz, C. Evans, Kearns, Price, McGregor

BILL SUMMARY

- Increases the charge for responding in townships to certain security alarm system false alarms.
- Earmarks the moneys a township so collects for use for police services.

CONTENT AND OPERATION

Existing law

Current law generally authorizes a board of township trustees to order the township clerk to charge a \$25 fee to defray costs incurred for each false alarm from a commercial or residential security alarm system in the township which occurs during a calendar year after the township police, a law enforcement agency with which the township contracts for police services, and the sheriff or the sheriff's deputy have answered a combined total of three false alarms resulting from the *malfunction* of that alarm system in that calendar year. A county sheriff also has authority to charge a \$25 fee to defray costs incurred for answers to false alarms in the county's unincorporated territory under these same circumstances, provided a township clerk has not already imposed such a fee for the same false alarm.¹ A township clerk or sheriff mails a bill under these circumstances to the manager of the commercial establishment or the occupant, lessee, agent, or tenant of the residence charging the fee for the subsequent false alarm. If the bill is not paid within 30 days, the township clerk or sheriff must mail a notice by certified mail to the parties previously billed and, if different, the property owner ordering them to show just cause why the bill should not be paid. If just cause is not shown or the bill is not paid within 30 days after the notice is sent, the \$25 charge becomes a lien on the property and must be entered on the tax duplicate for

¹ Similarly, if a county sheriff has imposed a fee already for the same false alarm, a township clerk may not do so.

collection as other taxes. If the sheriff sent the bill, the collected charge goes into the county treasury, and if the township clerk sent the bill, the collected charge goes into the township *general fund*. (Sec. 505.511(A) and (B).)

Changes made by the bill

The bill eliminates the requirement that the false alarm be the result of a malfunction of a security system. It also increases the charge for responding to more than three false alarms from the same commercial or residential security alarm system during the same calendar year from \$25 to (1) \$50 for the fourth false alarm that year, (2) \$100 for the fifth false alarm of that year, and (3) \$150 for all false alarms in that year occurring after the fifth false alarm. Finally, the bill earmarks the money a township receives pursuant to the lien procedure for deposit into the township treasury for *use for police services*, instead of for deposit into the township general fund as under current law.² (Sec. 505.511(A) and (B).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	07-31-03	p. 1022

H0255-I-125.doc/jc

² Presumably, under existing law as well as the bill's provisions, fees that are collected from those billed by township clerks or sheriffs for false alarms without the necessity of the imposition of a lien will be deposited and used in the same manner as fees collected through the lien procedure.