

1 HB120
2 203066-7
3 By Representative Ingram
4 RFD: County and Municipal Government
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

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8 SYNOPSIS: This bill relates to alarm systems and would
9 define a battery-charged fence used in connection
10 with a new or existing alarm system. The bill would
11 limit the authority of a municipality or county to
12 regulate the installation and use of a
13 battery-charged fence as defined by this act and
14 would exclude a battery-charged fence used for
15 agricultural or animal containment purposes.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 Relating to alarm systems; to define a
22 battery-charged fence used in connection with a new or
23 existing alarm system; to limit the authority of a
24 municipality or county to regulate the installation and use of
25 a battery-charged fence as defined in this act; and to provide
26 that this act would not apply to a battery-charged fence used
27 for agricultural or animal containment purposes.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. (a) For purposes of this act, a
3 "battery-charged fence" means a new or existing alarm system
4 and ancillary components or equipment attached to the system
5 that includes a fence and an energizer powered by a commercial
6 storage battery which produces a short electric pulsed charge
7 upon contact with the fence and battery charging device used
8 exclusively to charge the battery and meets all of the
9 following requirements:

10 (1) Interfaces with a monitored alarm device in a
11 manner that enables the alarm system to transmit a signal
12 intended to summon the business or law enforcement, or both,
13 in response to an intrusion or burglary.

14 (2) Is located on property that is not designated by
15 a municipality or county exclusively for residential use.

16 (3) Has an energizer that is driven by a commercial
17 storage battery that is not more than 12 volts of direct
18 current.

19 (4) Produces an electric charge on contact that does
20 not exceed energizer characteristics established for electric
21 fence energizers by the current standards of the International
22 Electrotechnical Commission.

23 (5) Is surrounded by a nonelectric perimeter fence
24 or wall that is not less than five feet in height.

25 (6) Is at least 10 feet in height.

26 (7) Is at least two feet higher than the height of
27 the non-electric perimeter fence or wall.

1 (8) Is marked with conspicuous warning signs that
2 are located on the battery charged fence at not more than
3 30-foot intervals and that read: "WARNING-ELECTRIC FENCE."

4 (b) Notwithstanding any other law, a municipality or
5 county may not adopt or enforce an ordinance, resolution,
6 order, or rule that does any of the following:

7 (1) Requires a permit or fee for the installation or
8 use of a battery-charged fence that is in addition to any fee
9 or alarm system permit required for any other alarm system by
10 the municipality or county. No additional permit or fee shall
11 be required for the battery-charged fence.

12 (2) Imposes installation or operational requirements
13 for the battery-charged fence that are inconsistent with the
14 requirements and standards described in this section.

15 (3) Prohibits the installation or use of a
16 battery-charged fence.

17 (c) This section does not apply to a battery-charged
18 fence used for agricultural or animal containment purposes.

19 (d) This section shall not be construed as
20 prohibiting a municipality from charging a business license as
21 provided in Article 2 of Chapter 51 of Title 11, Code of
22 Alabama 1975, for any person or business installing
23 battery-charged fences.

24 Section 2. This act shall become effective
25 immediately on its passage and approval by the Governor, or
26 its otherwise becoming law.