

An Act

ENROLLED SENATE
BILL NO. 1706

By: Leewright of the Senate

and

Sims of the House

An Act relating to security fences; amending 59 O.S. 2021, Section 1800.2, which relates to definitions; adding definition for battery-powered security fences; amending 59 O.S. 2021, Section 1800.12, which relates to municipal and county authority to adopt ordinances; prohibiting certain municipal or county ordinances; establishing requirements for use of battery-powered security fences; requiring acceptable commercial standards; providing specifications for use on acceptable property; requiring posted signage; providing for codification; and declaring an emergency.

SUBJECT: Security fences

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 1800.2, is amended to read as follows:

Section 1800.2. As used in the Alarm, Locksmith and Fire Sprinkler Industry Act:

1. "Alarm industry" means the sale, except as provided in Section 1800.3 of this title, installation, alteration, repair, replacement, service, inspection, or maintenance of alarm systems or service involving receipt of alarm signals for the purpose of employee response and investigation of such signals or any

combination of the foregoing activities except inspections on one- and two-family dwellings are exempt;

2. "Alarm system" means one or more devices designed either to detect and signal an unauthorized intrusion or entry or to signal a fire or other emergency condition, which signals are responded to by public law enforcement officers, fire department personnel, private guards or security officers;

3. "Battery-charged security fence" means an alarm system and ancillary components or equipment attached to such a system including, but not limited to, a fence, a battery-operated energizer, which is intended to periodically deliver voltage impulses to the fence connected to it, and a battery-charging device used exclusively to charge the battery;

4. "Committee" means the Alarm, and Locksmith and Fire Sprinkler Industry Committee;

~~4.~~ 5. "Commissioner" means the Commissioner of Labor;

~~5.~~ 6. "Integrated security system" means a mechanical and/or electronic security device that includes, but is not limited to, multiple integrated locks, burglar alarm systems, access control systems, fiber optic security systems, video surveillance systems, and nurse call systems, but does not include a stand-alone-single-element of an integrated security system;

~~6.~~ 7. "Licensee" means any person licensed pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act;

~~7.~~ 8. "Lock" means mechanical or electronic devices consisting entirely of Class 2 or Class 3 circuits and power source requirements as established by the National Electrical Code and designed to control use of a device or control ingress or egress of a structure or automobile, including, but not limited to, peripheral devices to alarm systems, safes, vaults, safe deposit boxes, biometric/retina readers and mechanical or electronic key systems;

~~8.~~ 9. "Locksmith industry" means the sale, servicing or installing, repairing, rebuilding, readying, rekeying, repinning, adjusting or installing locks, mechanical or electronic security

devices, annunciation devices not designed to require a response by law enforcement or opening or bypassing a lock by a means other than those intended by the manufacturer of such devices. For the purposes of the Alarm, Locksmith and Fire Sprinkler Industry Act, "mechanical or electronic security devices" includes, but is not limited to, access control systems including peripheral devices to alarm systems, fiber optic security systems, fire sprinklers, closed circuit television, video surveillance and nurse call systems;

~~9.~~ 10. "Person" means an individual, sole proprietorship, firm, partnership, association, limited liability company, corporation, or other similar entity; and

~~10.~~ 11. "Residential alarm monitoring or service contract" means a contract with end users for alarm monitoring and/or services for individual residential premises for their own use.

SECTION 2. AMENDATORY 59 O.S. 2021, Section 1800.12, is amended to read as follows:

Section 1800.12. A. Any municipality or county may levy and collect reasonable charges for alarm installation connections located in or at a police or fire department which is owned, operated or monitored by the municipality or county. Any municipality or county may require discontinuance of service of any alarm signal device which, due to mechanical malfunction or faulty equipment, causes excessive false alarms and, in the opinion of the appropriate county or municipal official, becomes a detriment to the functions of the department involved. The municipality or county may cause the disconnection of the device until the same is repaired to the satisfaction of the appropriate official; however, the municipality or county shall advise the owner or user of the device of the disconnection in advance or as soon as reasonably practicable. The municipality or county may levy and collect reasonable reconnection fees. Mechanical malfunction and faulty equipment shall not include, for the purpose of the Alarm, Locksmith and Fire Sprinkler Industry Act, false alarms caused by human error or an act of God.

B. No municipality may adopt any ordinance concerning the licensing of any alarm, locksmith or fire sprinkler industry

business or individual which is or may be licensed pursuant to the Alarm, Locksmith and Fire Sprinkler Industry Act.

C. No municipality or county may adopt any ordinance, order, or regulation concerning the installation, operation, or usage of a battery-charged security fence as long as the installation, operation, and usage of the battery-charged security fence follows the requirements and standards prescribed in Section 3 of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1800.19 of Title 59, unless there is created a duplication in numbering, reads as follows:

A battery-charged security fence shall meet the following requirements:

1. Interfaces with a monitored alarm device in a manner that enables the alarm system to transmit a signal intended to summon the business or law enforcement in response to an intrusion or burglary;
2. Is located on a property that is not designated by a municipality or county exclusively for residential use;
3. Has an energizer that is powered by a commercial storage battery that is not more than twelve (12) volts of direct current;
4. Has an energizer that meets the standards set forth by the International Electrotechnical Commission Standard 60335-2-76, current edition;
5. Is completely surrounded by a non-electric perimeter fence or wall that is not less than five (5) feet in height;
6. Does not exceed ten (10) feet in height or two (2) feet higher than the non-electric perimeter fence or wall described in paragraph 5 of this section, whichever is higher; and
7. Is marked with conspicuous warning signs that are located on the battery-charged security fence at not more than thirty-foot intervals and display: "WARNING - ELECTRIC FENCE".

SECTION 4. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 22nd day of March, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the 27th day of April, 2022.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____