

1 SB169  
2 203066-4  
3 By Senator Livingston  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 11-FEB-20

SYNOPSIS: This bill relates to alarm systems and would define a battery-charged fence used in connection with a new or existing alarm system. The bill would limit the authority of a municipality or county to regulate the installation and use of a battery-charged fence as defined by this act.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to alarm systems; to define a battery-charged fence used in connection with a new or existing alarm system; and to limit the authority of a municipality or county to regulate the installation and use of a battery-charged fence as defined in this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For purposes of this act, a "battery-charged fence" means a new or existing alarm system and ancillary components or equipment attached to the system

1 that includes a fence and an energizer powered by a commercial  
2 storage battery which produces a short electric pulsed charge  
3 upon contact with the fence and battery charging device used  
4 exclusively to charge the battery and meets all of the  
5 following requirements:

6 (1) Interfaces with a monitored alarm device in a  
7 manner that enables the alarm system to transmit a signal  
8 intended to summon the business or law enforcement, or both,  
9 in response to an intrusion or burglary.

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

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

15 (4) Produces an electric charge on contact that does  
16 not exceed energizer characteristics established for electric  
17 fence energizers by the current standards of the International  
18 Electrotechnical Commission.

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

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

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

24 (8) Is marked with conspicuous warning signs that  
25 are located on the battery charged fence at not more than  
26 40-foot intervals and that read: "WARNING-ELECTRIC FENCE."

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

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

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

12                   (3) Prohibits the installation or use of a  
13 battery-charged fence.

14                   Section 2. This act shall become effective on the  
15 first day of the third month following its passage and  
16 approval by the Governor, or its otherwise becoming law.