

**SHB 1304 - H AMD 924**

By Representative Hackney

**ADOPTED 02/13/2024**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that recent changes  
4 in alarm system technology can be beneficial for protecting property  
5 owners from ongoing theft, and help to minimize the demand on local  
6 government policing and judicial resources. The legislature further  
7 finds that state and local building codes related to electric  
8 security alarm systems vary widely from jurisdiction to jurisdiction  
9 and that a uniform definition and application of a statewide standard  
10 for installation of such systems would be beneficial to industrial  
11 and commercial property owners statewide. It is, therefore, the  
12 intent of the legislature to establish a statewide standard for the  
13 installation and operation of electric security alarm systems to  
14 streamline adoption and provide certainty for installation of such  
15 systems.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21  
17 RCW to read as follows:

18 (1) Cities and towns may not adopt or enforce any ordinance, land  
19 use regulation, or building code for manufacturing, industrial, or  
20 outdoor storage property that:

21 (a) Prohibits the installation or use of an electric security  
22 alarm system;

23 (b) Imposes installation or operational requirements inconsistent  
24 with IEC standards or this section for an electric security alarm  
25 system fence energizers and electric fences;

26 (c) Requires a property setback for an electric security alarm  
27 system or its ancillary components beyond the distance required by  
28 IEC standards for separation from an external fence that surrounds  
29 the perimeter of the outdoor storage property, including any existing  
30 nonconforming or grandfathered fence; or

1 (d) Requires a permit of any type other than a security alarm  
2 permit for the installation or use of an electric security alarm  
3 system or imposes a fee for such a permit of more than \$1,000.  
4 Nothing in this section precludes a city or town from regulating or  
5 requiring a permit for a nonelectric perimeter fence or wall.

6 (2) A city or town that has, prior to January 1, 2024, adopted an  
7 ordinance, land use regulation, or building code that permits  
8 electric security alarm systems in accordance with IEC standards in  
9 commercial and industrial zones within the city or town is not  
10 subject to the requirements of this section.

11 (3) For the purposes of this section:

12 (a) "Electric security alarm system" means an outdoor alarm  
13 system and ancillary components, including a fence-like wiring  
14 structure, placed behind an existing nonelectric fence that:

15 (i) Interfaces with an alarm system in a manner that enables the  
16 fence to cause the connected alarm system to transmit a signal  
17 intended to detect and alert the property owner of an intrusion or  
18 burglary;

19 (ii) Has an energizer that is driven by battery of no more than  
20 12 volts of direct current and that does not produce an electric  
21 charge on contact that exceeds energizer characteristics set for  
22 electric fence energizers by IEC standards;

23 (iii) Is surrounded by a nonelectric perimeter fence or wall that  
24 is at least five feet in height;

25 (iv) Is 10 feet in height or two feet higher than the height of  
26 the nonelectric perimeter fence or wall, whichever is greater; and

27 (v) Is marked with conspicuous warning signs that are located on  
28 the fence at not more than 30-foot intervals and that read: "WARNING:  
29 ELECTRIC FENCE."

30 (b) "IEC standards" means the international electrotechnical  
31 commission standard 60335-2-76, as most recently published on or  
32 before January 1, 2021.

33 (c) "Outdoor storage property" means a commercial property,  
34 regardless of zoning designation, that is legally authorized to  
35 store, park, service, sell, or rent vehicles, vessels, equipment,  
36 materials, freight, or utility infrastructure within an outdoor lot  
37 or yard that is surrounded by a nonelectric perimeter fence or wall.

38 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21  
39 RCW to read as follows:

1 (1) Code cities may not adopt or enforce any ordinance, land use  
2 regulation, or building code for manufacturing, industrial, or  
3 outdoor storage property that:

4 (a) Prohibits the installation or use of an electric security  
5 alarm system;

6 (b) Imposes installation or operational requirements inconsistent  
7 with IEC standards or this section for an electric security alarm  
8 system fence energizers and electric fences;

9 (c) Requires a property setback for an electric security alarm  
10 system or its ancillary components beyond the distance required by  
11 IEC standards for separation from an external fence that surrounds  
12 the perimeter of the outdoor storage property, including any existing  
13 nonconforming or grandfathered fence; or

14 (d) Requires a permit of any type other than a security alarm  
15 permit for the installation or use of an electric security alarm  
16 system or imposes a fee for such a permit of more than \$1,000.  
17 Nothing in this section precludes a code city from regulating or  
18 requiring a permit for a nonelectric perimeter fence or wall.

19 (2) A code city that has, prior to January 1, 2024, adopted an  
20 ordinance, land use regulation, or building code that permits  
21 electric security alarm systems in accordance with IEC standards in  
22 commercial and industrial zones within the code city is not subject  
23 to the requirements of this section.

24 (3) For the purposes of this section:

25 (a) "Electric security alarm system" means an outdoor alarm  
26 system and ancillary components, including a fence-like wiring  
27 structure, placed behind an existing nonelectric fence that:

28 (i) Interfaces with an alarm system in a manner that enables the  
29 fence to cause the connected alarm system to transmit a signal  
30 intended to detect and alert the property owner of an intrusion or  
31 burglary;

32 (ii) Has an energizer that is driven by battery of no more than  
33 12 volts of direct current and that does not produce an electric  
34 charge on contact that exceeds energizer characteristics set for  
35 electric fence energizers by IEC standards;

36 (iii) Is surrounded by a nonelectric perimeter fence or wall that  
37 is at least five feet in height;

38 (iv) Is 10 feet in height or two feet higher than the height of  
39 the nonelectric perimeter fence or wall, whichever is greater; and

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

4 (b) "IEC standards" means the international electrotechnical  
5 commission standard 60335-2-76, as most recently published on or  
6 before January 1, 2021.

7 (c) "Outdoor storage property" means a commercial property,  
8 regardless of zoning designation, that is legally authorized to  
9 store, park, service, sell, or rent vehicles, vessels, equipment,  
10 materials, freight, or utility infrastructure within an outdoor lot  
11 or yard that is surrounded by a nonelectric perimeter fence or wall.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01  
13 RCW to read as follows:

14 (1) Counties may not adopt or enforce any ordinance, land use  
15 regulation, or building code for manufacturing, industrial, or  
16 outdoor storage property that:

17 (a) Prohibits the installation or use of an electric security  
18 alarm system;

19 (b) Imposes installation or operational requirements inconsistent  
20 with IEC standards or this section for an electric security alarm  
21 system fence energizers and electric fences;

22 (c) Requires a property setback for an electric security alarm  
23 system or its ancillary components beyond the distance required by  
24 IEC standards for separation from an external fence that surrounds  
25 the perimeter of the outdoor storage property, including any existing  
26 nonconforming or grandfathered fence; or

27 (d) Requires a permit of any type other than a security alarm  
28 permit for the installation or use of an electric security alarm  
29 system or imposes a fee for such a permit of more than \$1,000.  
30 Nothing in this section precludes a county from regulating or  
31 requiring a permit for a nonelectric perimeter fence or wall.

32 (2) A county that has, prior to January 1, 2024, adopted an  
33 ordinance, land use regulation, or building code that permits  
34 electric security alarm systems in accordance with IEC standards in  
35 commercial and industrial zones within the county is not subject to  
36 the requirements of this section.

37 (3) For the purposes of this section:

1 (a) "Electric security alarm system" means an outdoor alarm  
2 system and ancillary components, including a fence-like wiring  
3 structure, placed behind an existing nonelectric fence that:

4 (i) Interfaces with an alarm system in a manner that enables the  
5 fence to cause the connected alarm system to transmit a signal  
6 intended to detect and alert the property owner of an intrusion or  
7 burglary;

8 (ii) Has an energizer that is driven by battery of no more than  
9 12 volts of direct current and that does not produce an electric  
10 charge on contact that exceeds energizer characteristics set for  
11 electric fence energizers by IEC standards;

12 (iii) Is surrounded by a nonelectric perimeter fence or wall that  
13 is at least five feet in height;

14 (iv) Is 10 feet in height or two feet higher than the height of  
15 the nonelectric perimeter fence or wall, whichever is greater; and

16 (v) Is marked with conspicuous warning signs that are located on  
17 the fence at not more than 30-foot intervals and that read: "WARNING:  
18 ELECTRIC FENCE."

19 (b) "IEC standards" means the international electrotechnical  
20 commission standard 60335-2-76, as most recently published on or  
21 before January 1, 2021.

22 (c) "Outdoor storage property" means a commercial property,  
23 regardless of zoning designation, that is legally authorized to  
24 store, park, service, sell, or rent vehicles, vessels, equipment,  
25 materials, freight, or utility infrastructure within an outdoor lot  
26 or yard that is surrounded by a nonelectric perimeter fence or wall.

27 NEW SECTION. **Sec. 5.** A new section is added to chapter 19.27  
28 RCW to read as follows:

29 (1) By July 1, 2025, the state building code council shall adopt  
30 or amend rules as necessary to provide that electric security alarm  
31 systems are not considered structures under the state building code  
32 when placed behind an existing perimeter fence in compliance with  
33 sections 2, 3, and 4 of this act.

34 (2) For the purposes of this section, "electric security alarm  
35 system" has the same meaning as in section 2 of this act."

36 Correct the title.

EFFECT: • Changes references to "battery-charged electric security fences" to "electrified security alarm systems."

• Prohibits local governments from adopting or enforcing regulations that would prohibit the installation or use of an electrified security alarm system on manufacturing, industrial, or outdoor storage property; impose installation or operation requirements on electric security alarm system fence energizers or electric fences that are inconsistent with those in the bill or those adopted by the International Electrotechnical Commission; require a setback from the perimeter fence for such a system beyond the distance required by the International Electrotechnical Commission standards; require a permit fee for such a system other than a security alarm permit or require a permit fee of more than \$1,000.

• Exempts a local government that has, prior to January 1, 2024, adopted regulations permitting electric security alarm systems in accordance with International Electrotechnical Commission standards in commercial and industrial zones from the requirements of the bill.

• Changes the definition of "electrified security alarm system" to mean a fence-like wiring structure placed beyond an existing fence that meets certain criteria, including that the system must connect to an alarm system that can alert the property owner of an intrusion or burglary, that the system be surrounded by a non-electric perimeter fence that is at least five feet high, and that the system itself be at least 10 feet high.

• Requires the State Building Code Council to adopt or amend rules by July 1, 2025, to provide that electric security alarm systems are not considered structures under the State Building Code when placed behind a perimeter fence in compliance with the bill.

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