
Local Government Committee

HB 1304

Brief Description: Regulating electric security alarm systems.

Sponsors: Representatives Hackney and Walen.

Brief Summary of Bill

- Prohibits local governments from imposing regulations outside of an exclusively residential area that would prohibit or require a permit for the installation or use of a battery-powered electric fence that has certain characteristics.

Hearing Date: 1/24/23

Staff: Kellen Wright (786-7134).

Background:

Local governments can promulgate zoning and other development regulations that limit the use of land within their jurisdictions. Such regulations can restrict the number or type of structures that can be built on a lot, or provide that some uses of property can occur only under specific conditions. Other uses may be generally allowed, but may require a permit or other approval.

Building codes provide standards for the construction and occupancy of buildings and structures.

An electric fence is a fence that deters people or animals from crossing a boundary through an electric shock. An electric fence can connect to an alarm system that detects when the fence has been touched and triggers an alarm. Local government development regulations may limit, or prohibit, the use of electric fences within the local government's jurisdiction. The City of Tacoma, for example, prohibits electrified fences outside of industrial zones.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The International Electrotechnical Commission (IEC) is a global standards commission that adopts and publishes technical standards for electrical and electronic technologies.

Summary of Bill:

Battery-charged electric fences that possess particular characteristics cannot be subject to certain specified local government regulations. In order to qualify, a battery-charged electric fence:

- must not be located on a property zoned or used exclusively for residential uses;
- must interface with an alarm system that allows the fence to trigger an alarm to summon law enforcement;
- must have an energizer driven by a battery;
- cannot use a battery of more than 12 volts of direct current;
- cannot produce a charge on contact that exceeds energizer characteristics set by the IEC;
- must be surrounded by a non-electric fence or wall at least 5 feet high;
- cannot be higher than the greater of 10 feet in height or 2 feet higher than the surrounding non-electric fence or wall;
- must be marked with signs warning that it is an electric fence at no more than 30-foot intervals.

A battery-charged electric fence that satisfies these requirements cannot be subject to any city or county ordinance, land use regulation, or building code that prohibits the installation of a battery-charged electric fence; requires a permit for the installation or use of such fence, outside of a permit for the alarm system connected to the fence; or imposes installation or operation standards for the fence different than those adopted by the IEC.

Appropriation: None.

Fiscal Note: Requested on January 18, 2023.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.