
HOUSE BILL 1304

State of Washington

68th Legislature

2023 Regular Session

By Representatives Hackney and Walen

Read first time 01/13/23. Referred to Committee on Local Government.

1 AN ACT Relating to electric security alarm systems; adding a new
2 section to chapter 35.21 RCW; adding a new section to chapter 35A.21
3 RCW; adding a new section to chapter 36.01 RCW; and creating a new
4 section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

3 (1) Cities and towns may not adopt or enforce any ordinance, land
4 use regulation, or building code for property not zoned or used
5 exclusively for residential use that:

6 (a) Prohibits the installation or use of a battery-charged fence;

7 (b) Imposes installation or operational requirements inconsistent
8 with IEC standards or this section for an alarm system or battery-
9 charged fence;

10 (c) Requires a permit for the installation or use of a battery-
11 charged fence that is additional to an alarm system permit issued by
12 the local government.

13 (2) A battery-charged fence:

14 (a) Must not use a battery that is more than 12 volts of direct
15 current;

16 (b) Must not produce an electric charge on contact that exceeds
17 energizer characteristics set for electric fence energizers by IEC
18 standards;

19 (c) Must be surrounded by a nonelectric perimeter fence or wall
20 that is at least five feet in height;

21 (d) Must not be higher than the greater of 10 feet in height or
22 two feet higher than the height of the nonelectric perimeter fence or
23 wall; and

24 (e) Must be marked with conspicuous warning signs that are
25 located on the fence at not more than 30-foot intervals and that
26 read: "WARNING: ELECTRIC FENCE."

27 (3) The definitions in this subsection apply throughout this
28 section unless the context clearly requires otherwise:

29 (a) "Alarm system" means any electrical, mechanical, or
30 electronic device or sensor used to prevent, detect, or alert law
31 enforcement or occupants of burglary, theft, or intrusion of a
32 structure or a vehicle used as a commercial structure.

33 (b) "Battery-charged fence" means a fence that interfaces with an
34 alarm system in a manner that enables the fence to cause the
35 connected alarm system to transmit a signal intended to summon law
36 enforcement in response to an intrusion and has an energizer that is
37 driven by battery.

38 (c) "IEC standards" means the standards set by the international
39 electrotechnical commission as most recently published on or before
40 January 1, 2021.

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

3 (1) Code cities may not adopt or enforce any ordinance, land use
4 regulation, or building code for property not zoned or used
5 exclusively for residential use that:

6 (a) Prohibits the installation or use of a battery-charged fence;

7 (b) Imposes installation or operational requirements inconsistent
8 with IEC standards or this section for an alarm system or battery-
9 charged fence;

10 (c) Requires a permit for the installation or use of a battery-
11 charged fence that is additional to an alarm system permit issued by
12 the local government.

13 (2) A battery-charged fence:

14 (a) Must not use a battery that is more than 12 volts of direct
15 current;

16 (b) Must not produce an electric charge on contact that exceeds
17 energizer characteristics set for electric fence energizers by IEC
18 standards;

19 (c) Must be surrounded by a nonelectric perimeter fence or wall
20 that is at least five feet in height;

21 (d) Must not be higher than the greater of 10 feet in height or
22 two feet higher than the height of the nonelectric perimeter fence or
23 wall; and

24 (e) Must be marked with conspicuous warning signs that are
25 located on the fence at not more than 30-foot intervals and that
26 read: "WARNING: ELECTRIC FENCE."

27 (3) The definitions in this subsection apply throughout this
28 section unless the context clearly requires otherwise:

29 (a) "Alarm system" means any electrical, mechanical, or
30 electronic device or sensor used to prevent, detect, or alert law
31 enforcement or occupants of burglary, theft, or intrusion of a
32 structure or a vehicle used as a commercial structure.

33 (b) "Battery-charged fence" means a fence that interfaces with an
34 alarm system in a manner that enables the fence to cause the
35 connected alarm system to transmit a signal intended to summon law
36 enforcement in response to an intrusion and has an energizer that is
37 driven by battery.

38 (c) "IEC standards" means the standards set by the international
39 electrotechnical commission as most recently published on or before
40 January 1, 2021.

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

3 (1) Counties may not adopt or enforce any ordinance, land use
4 regulation, or building code for property not zoned or used
5 exclusively for residential use that:

6 (a) Prohibits the installation or use of a battery-charged fence;

7 (b) Imposes installation or operational requirements inconsistent
8 with IEC standards or this section for an alarm system or battery-
9 charged fence;

10 (c) Requires a permit for the installation or use of a battery-
11 charged fence that is additional to an alarm system permit issued by
12 the local government.

13 (2) A battery-charged fence:

14 (a) Must not use a battery that is more than 12 volts of direct
15 current;

16 (b) Must not produce an electric charge on contact that exceeds
17 energizer characteristics set for electric fence energizers by IEC
18 standards;

19 (c) Must be surrounded by a nonelectric perimeter fence or wall
20 that is at least five feet in height;

21 (d) Must not be higher than the greater of 10 feet in height or
22 two feet higher than the height of the nonelectric perimeter fence or
23 wall; and

24 (e) Must be marked with conspicuous warning signs that are
25 located on the fence at not more than 30-foot intervals and that
26 read: "WARNING: ELECTRIC FENCE."

27 (3) The definitions in this subsection apply throughout this
28 section unless the context clearly requires otherwise:

29 (a) "Alarm system" means any electrical, mechanical, or
30 electronic device or sensor used to prevent, detect, or alert law
31 enforcement or occupants of burglary, theft, or intrusion of a
32 structure or a vehicle used as a commercial structure.

33 (b) "Battery-charged fence" means a fence that interfaces with an
34 alarm system in a manner that enables the fence to cause the
35 connected alarm system to transmit a signal intended to summon law
36 enforcement in response to an intrusion and has an energizer that is
37 driven by battery.

1 (c) "IEC standards" means the standards set by the international
2 electrotechnical commission as most recently published on or before
3 January 1, 2021.

--- **END** ---