

HOUSE BILL REPORT

HB 1688

As Reported by House Committee On:
Local Government

Title: An act relating to electric security alarm systems.

Brief Description: Concerning electric security alarm systems.

Sponsors: Representatives Parshley, Duerr, Reed, Ormsby, Hill and Timmons.

Brief History:

Committee Activity:

Local Government: 2/5/25, 2/14/25 [DPS].

Brief Summary of Substitute Bill

- Establishes statewide standards for installing and operating electric security alarm systems where local governments have not adopted alternative regulations.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Duerr, Chair; Parshley, Vice Chair; Klicker, Ranking Minority Member; Stuebe, Assistant Ranking Minority Member; Griffey, Hunt and Zahn.

Staff: Michelle Rusk (786-7153).

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

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under specific conditions. Other uses may be generally allowed, but may require a permit or other approval.

Generally, an electric fence is a fence that deters people or animals from crossing a boundary by means of an electric shock. An electric fence can also connect to an alarm system that detects when the fence has been touched, and triggers an alarm. Local governments can regulate fencing in general, and local government development regulations may also specifically limit, or prohibit, the use of electric fences within the local government's jurisdiction.

Summary of Substitute Bill:

Electric Security Alarm Systems.

Local jurisdictions that are not otherwise regulating electric security alarm systems (systems) must do so in accordance with statewide standards. These systems are outdoor alarm systems that connect a wire structure to an alarm system that transmits a signal intended to detect and alert property owners of an intrusion by utilizing an electric charge.

The statewide standards include:

- Systems may not be considered a fence and regulated by fence codes if the code does not reference and regulate electric security alarm systems.
- Local jurisdictions may require an alarm system operator license or permit.
- A system's exterior must be surrounded by a minimum 5-foot tall perimeter barrier, fence, or wall, and conditions are established for maintaining existing, or permitting and installing new, perimeter barriers, fences, or walls.
- Systems must be permitted on any allowed or legally nonconforming outdoor storage property. Outdoor storage property is a manufacturing, commercial, or industrial property that does not abut an existing kindergarten through twelfth grade (K-12) school, in which all or part of the lot is used for keeping vehicles, vessels, aircraft, equipment, raw materials, freight, or utility infrastructure in an outdoor yard or unenclosed building, provided that the lot does not include any existing residential or hospitality uses. Outdoor storage property does not include property with outdoor displays of items or objects for immediate sale when such displays are incidental or accessory to activity conducted in an enclosed structure and the displays do not exceed 10 percent of the net lot area.
- System installation must meet the following requirements:
 - The system is powered by an energizer driven by a battery of no more than 12 volts of direct current, which does not produce an electric charge on contact that exceeds specified measurements.
 - The system is conspicuously marked with warning signs at intervals no greater than 30-foot, reading: "Warning: Electric Fence."
 - A system is the greater of 10 feet high or 2 feet higher than a perimeter barrier, fence, or wall.

- The system includes a device enabling first responders to deactivate it in an emergency.

Local jurisdictions that have controls regulating or prohibiting systems, either before or after the statewide standards are effective, are not subject to the statewide system standards. However, systems installed before a local jurisdiction's system regulations go into effect may continue to operate if they comply with the statewide system requirements.

If a jurisdiction adopts controls regulating or prohibiting systems after the statewide standards go into effect, the jurisdiction must include "electric security alarm" in the ordinance's title and hold two public hearings on the regulation before final adoption.

Substitute Bill Compared to Original Bill:

The substitute bill modifies the definition of "outdoor storage property," including by requiring that a manufacturing, commercial, or industrial property does not abut an existing K-12 school and that a lot does not include any existing residential or hospitality uses. The modified definition also excludes property with outdoor displays of items for immediate sale that are incidental or accessory to the activity conducted in an enclosed structure and that are not exceeding 10 percent of the net lot area.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill represents compromise between industry and local governments, and good collaborative work. It takes the unique approach of creating a policy structure whereby there is a new statewide standard that also recognizes communities that have already acted on this topic, all while allowing deviation from the standard. This particular bill has been worked on for the past three years. In prior versions of this bill, there were concerns from local governments, and to the credit of stakeholders, everyone worked together and was able to avoid preemption issues.

The policy gives guidance for auto dealers who have asked for systems like this because they are having a lot of issues with catalytic converter theft, since the thieves seemingly know how long it takes for motion detectors to spot them, and how long they have to steal the catalytic converters as a result. Thousands of dollars were lost. This policy will help cities with these outdoor storage properties to protect their products, allow fences that do

not harm or hurt wildlife but give plenty of warnings for people who might approach them, and allow for a much faster alarm system than a motion detection system.

(Opposed) None.

Persons Testifying: Representative Lisa Parshley, prime sponsor; Keith Kaneko, AMAROK; and Carl Schroeder, Association of WA Cities.

Persons Signed In To Testify But Not Testifying: None.