

SENATE BILL REPORT

ESHB 1688

As of March 14, 2025

Title: An act relating to electric security alarm systems.

Brief Description: Concerning electric security alarm systems.

Sponsors: House Committee on Local Government (originally sponsored by Representatives Parshley, Duerr, Reed, Ormsby, Hill and Timmons).

Brief History: Passed House: 3/6/25, 97-0.

Committee Activity: Local Government: 3/17/25.

Brief Summary of Bill

- Requires local governments without regulations related to electric security alarm systems to allow such systems, subject to specified conditions and requirements.
- Authorizes local governments to regulate or prohibit electric security alarm systems, subject to certain requirements and an exception for prior installed systems.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Staff: John Kim (786-7453)

Background: Department of Labor and Industries' 2024 Report on Electric Security Alarm Systems. In 2024, the Legislature directed the Washington State Department of Labor and Industries (L&I) to work with the Association of Washington Cities (AWC) and stakeholders having an interest in the installation and maintenance of electric security alarm systems to identify appropriate pathways to streamline the permitting process and provide recommendations to facilitate the installation of these systems in the state. L&I formed a workgroup with AWC and interested parties and held five meetings, but the workgroup did

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.

not reach agreement on a legislative proposal.

According to the report, an electric security alarm system is a security measure that deters people from crossing a boundary by means of an electric shock. To be consistent with the International Electrotechnical Commission (IEC) standards, an electric security alarm system must be installed behind a nonelectric perimeter barrier and connected to an alarm device that detects trespass when the system has been touched or tampered with and will trigger an alarm.

Due to the systems' common likening to a fence, local zoning requirements and processes vary significantly from one jurisdiction to another. Currently, local governments can regulate fencing and may develop regulations that specifically limit, or prohibit, the use of these systems within the local government's jurisdiction.

Summary of Bill: Requirements for Local Governments Without Regulations Related to Electric Security Alarm Systems. An electric security alarm system is defined as an outdoor alarm system that connects a wire structure to an alarm system and transmits a signal intended to detect and alert the property owner of an intrusion by utilizing an electric charge.

A city, town, code city, or county (local government) that has not adopted an ordinance, land use regulation, or local code related to the regulation of electric security alarm systems must allow electric security alarm systems consistent with the following requirements and conditions.

Exemption from Certain Fence Codes. Electric security alarm systems may not be considered a fence and may not be regulated by fence codes which do not reference and regulate electric security alarm systems.

Required Allowance on Outdoor Storage Property. Electric security alarm systems must be allowed on any allowed or legally nonconforming outdoor storage property. This does not apply to properties zoned for mixed use that are not an outdoor storage property.

Outdoor storage property is defined as a manufacturing, commercial, or industrial property that does not abut an existing 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. The term 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 that such displays do not exceed 10 percent of the net lot area.

The ability of a local government to otherwise regulate outdoor storage properties is not limited under this bill.

Requirements for the Installation of Electric Security Alarm Systems. The installation of these systems must meet the following requirements:

- the electric security alarm is powered by an energizer that is driven by a battery of no more than 12 volts of direct current and that does not produce an electric charge on contact that exceeds energizer characteristics set forth in IEC 60335-2-76, as of January 1, 2025;
- the electric security alarm is marked with conspicuous warning signs that are located on the system at not more than 30-foot intervals that read "Warning: Electric Fence.";
- the electric security alarm is 10 feet in height, or two feet higher than the perimeter barrier, fence, or wall, whichever is greater; and
- the electric security alarm includes a device that enables first responders to deactivate the electric security alarm system in response to an emergency, if utilized by the local government.

Required Perimeter Barrier. A minimum five-foot-tall perimeter barrier, fence, or wall must be located around the exterior of the electric security alarm system. If the perimeter barrier is an existing fence or wall, the fence or wall must have been installed in compliance with the fence code at the time of installation.

The local government may require a permit for the installation of a new perimeter fence or wall and may require the new perimeter fence or wall be consistent with the local fence code. The local government may not require any additional conditions or improvements appurtenant to the installation of an electric security alarm system.

Alarm System Operator License or Permit. The local government may require an alarm system operator license or permit in the same manner as is required for any other security alarm.

Exemption for Local Governments Regulating Electric Security Alarm Systems. The above requirements and conditions do not apply to a local government that has, whether before or after the effective date of the bill, adopted an ordinance, land use regulation, or local code that regulates or prohibits electric security alarm systems.

Exemption for Prior Installed Systems. Any system installed prior to the effective date of such an adopted ordinance may continue to operate if it complies with the requirements described above.

Requirement for Local Governments Regulating or Prohibiting Electric Security Alarm Systems After the Bill's Effective Date. If a local government adopts an ordinance, land use regulation, or local code that regulates or prohibits electric security alarm systems after the effective date of the bill, the local government must include "electric security alarm" in the title of the ordinance and must hold two public hearings on the regulation prior to final adoption.

Applicability. The provisions of the bill do not apply to:

- burglar alarm systems, which are defined as a device or an assembly of equipment and devices used to detect or signal unauthorized intrusion, movement, or exit at a protected premises, other than in a vehicle, to which police or private security guards are expected to respond; or
- fire alarms, which are defined as any mechanical, electrical, or radio-controlled device that is designed to emit a sound or transmit a signal or message when activated or any such device that emits a sound and transmits a signal or message when activated because of smoke, heat, or fire.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.