

SENATE BILL NO. 344

BY SENATOR JOHNS

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AN ACT

To enact R.S. 33:1376, relative to the regulation of battery-charged fences; to authorize parish and municipal governing authorities to enact ordinances to provide for such regulation; to provide for the requirements of any such ordinance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:1376 is hereby enacted to read as follows:

**§1376. Ordinances; battery-charged fences; parishes and municipalities**

**A. Notwithstanding any other provision of law to the contrary, the governing authority of any parish or municipality may provide, by ordinance, for the regulation of battery-charged fences installed within its jurisdiction. Any such ordinance shall require that a battery-charged fence meet the following requirements:**

**(1) Interfaces with a monitored alarm device in a manner that enables the alarm system to transmit a signal intended to summon law enforcement in response to an intrusion or burglary.**

**(2) Is located on property that is not zoned exclusively for residential use.**

**(3) Has an energizer that is powered by a commercial storage battery that is not more than twelve volts of direct current.**

**(4) Has an energizer that meets the standards set forth by the International Electrotechnical Commission Standard 60335-2-76, current edition.**

**(5) Is surrounded by a nonelectric perimeter fence or wall that is not less than five feet in height.**

1                   (6) Is the higher of ten feet in height or two feet higher than the height  
2                   of the nonelectric perimeter fence or wall.

3                   (7) Is marked with conspicuous warning signs that are located on the  
4                   battery-charged fence at not more than forty-foot intervals and that read:  
5                   "WARNING-ELECTRIC FENCE".

6                   B. Notwithstanding any other provision of law to the contrary, no parish  
7                   or municipal governing authority shall enact an ordinance that:

8                   (1) Requires a permit or fee for the installation or use of a  
9                   battery-charged fence that is in addition to an alarm system permit issued by  
10                  the parish or municipality.

11                  (2) Imposes installation or operational requirements for the  
12                  battery-charged fence that are inconsistent with the requirements provided for  
13                  in Subsection A of this Section.

14                  (3) Prohibits the installation or use of a battery-charged fence.

15                  C. As used in this Section, "battery-charged fence" means a new or  
16                  existing alarm system and ancillary components or equipment attached to such  
17                  a system, including but not limited to: a fence, a battery-operated energizer  
18                  which is intended to periodically deliver voltage impulses to the fence connected  
19                  to it, and a battery charging device used exclusively to charge the battery.  
20                  However, "battery-charged fence" does not mean an electrically charged fence  
21                  used for agriculture or animal containment purposes.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_