

2020 Regular Session

SENATE BILL NO. 344

BY SENATOR JOHNS

GOVERNMENTAL REGULATIONS. Provides relative to the regulation of battery-charged fences by parishes and municipalities. (8/1/20)

1 AN ACT

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

6 Be it enacted by the Legislature of Louisiana:

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

8 **§1376. Ordinances; battery-charged fences; parishes and municipalities**

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

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

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

1 use.

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

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

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

9 (6) Is shorter than the higher of ten feet in height or two feet higher than
10 the height of the nonelectric perimeter fence or wall.

11 (7) Is marked with conspicuous warning signs that are located on the
12 battery-charged fence at not more than forty foot intervals and that read: "Has
13 an energizer that is powered by a commercial storage battery that is not more
14 than 12 volts of direct current".

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

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

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

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

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

27 C. As used in this Section, "battery-charged fence" means a new or
28 existing alarm system and ancillary components or equipment attached to such
29 a system, including but not limited to: a fence, a battery-operated energizer

- 1 **which is intended to periodically deliver voltage impulses to the fence connected**
2 **to it, and a battery charging device used exclusively to charge the battery.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

SB 344 Original

2020 Regular Session

Johns

Proposed law defines "battery-charged fence" as a new or existing alarm system and ancillary components or equipment attached to such a system, including but not limited to: a fence, a battery-operated energizer which is intended to periodically deliver voltage impulses to the fence connected to it, and a battery charging device used exclusively to charge the battery.

Proposed law authorizes parish and municipal governing authorities to provide, by ordinance, for the regulation of battery-charged fences installed in their jurisdictions. Provides that such ordinances must require that battery-charged fences meet certain requirements including but not limited to the following:

- (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 12 volts of direct current.
- (4) Is shorter than the higher of 10 feet or two feet higher than the height of the nonelectric perimeter fence or wall.
- (5) Is marked with conspicuous warning signs that are located on the battery-charged fence.

Proposed law prohibits a parish or municipal governing authority from enacting an ordinance that:

- (1) Requires a permit or fee for the installation or use of a battery-charged fence that is in addition to an alarm system permit.
- (2) Imposes installation or operational requirements for the battery-charged fence that are inconsistent with proposed law.
- (3) Prohibits the installation or use of a battery-charged fence.

Effective August 1, 2020.

(Adds R.S. 33:1376)