

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.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____