

2020 Regular Session

HOUSE BILL NO. 560

BY REPRESENTATIVE DWIGHT

LOCAL GOVERNMENT: Provides relative to the regulation of battery-charged fences by parishes and municipalities

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 governing
10 authority of any parish or municipality may provide, by ordinance, for the regulation
11 of battery-charged fences installed within its jurisdiction. Any such ordinance shall
12 require that a battery-charged fence meet the following requirements:

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

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

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

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

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

3 (6) Is shorter than the higher of ten feet in height or two feet higher than the
4 height of the non-electric perimeter fence or wall.

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

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

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

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

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

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

21 C. As used in this Section, "battery-charged fence" means a new or existing
22 alarm system and ancillary components or equipment attached to such a system,
23 including but not limited to: a fence, a battery-operated energizer which is intended
24 to periodically deliver voltage impulses to the fence connected to it, and a battery
25 charging device used exclusively to charge the battery.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 560 Original

2020 Regular Session

Dwight

Abstract: Authorizes parish and municipal governing authorities to enact ordinances relative to the regulation of battery-charged fences.

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 non-electric 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.

(Adds R.S. 33:1376)