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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3634

1.1 A bill for an act
1.2 relating to local government; providing for regulation of battery-charged security
1.3 fences; proposing coding for new law in Minnesota Statutes, chapter 471.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 471.9999 BATTERY-CHARGED SECURITY FENCES.

1.6 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
1.7 the meanings given.

1.8 (b) "Alarm system" means a new or existing system designed to provide security for a
1.9 property and which may require a permit to be issued by a municipality.

1.10 (c) "Battery-charged security fence" or "fence" means an alarm system and ancillary
1.11 components, or equipment attached to such a system, including but not limited to a fence,
1.12 an energizer, cameras, and a battery charging device used exclusively to charge the battery
1.13 for the system. Battery-charged security fence does not mean an electric partition fence
1.14 built and maintained under section 344.03 or any other electric fence used for agricultural
1.15 purposes as defined in section 273.13, subdivision 23, paragraph (e).

1.16 (d) "Municipality" means a town, city, county, school district, or other municipal
1.17 corporation or political subdivision of the state.

1.18 Subd. 2. Battery-charged security fence requirements. A battery-charged security
1.19 fence must meet all of the following criteria:

1.20 (1) the fence must interface with a monitored alarm device in a manner that enables the
1.21 alarm system to transmit a signal intended to summon the property owner, law enforcement,
1.22 or both, in response to an intrusion or burglary;

2.1 (2) the fence is located on property that is not zoned by a municipality exclusively for
2.2 residential use;

2.3 (3) the fence has an energizer that is powered by a commercial storage battery that is
2.4 not more than 12 volts of direct current;

2.5 (4) the fence has an energizer that meets the standards set forth by the most current
2.6 version of International Electrotechnical Commission Standard 60335-2-76;

2.7 (5) the fence is behind and interior to a nonelectric fence or wall that is at least five feet
2.8 in height;

2.9 (6) the fence is the higher of ten feet high or two feet higher than the nonelectric fence
2.10 or wall in clause (5); and

2.11 (7) the fence is marked with conspicuous warning signs that read "WARNING -
2.12 ELECTRIC FENCE" and the signs are located on the battery-charged security fence at no
2.13 more than 30-foot intervals.

2.14 Subd. 3. **Limitations on municipal regulation.** Notwithstanding any statute, law, or
2.15 rule to the contrary, a municipality may not adopt or enforce an ordinance, order, or regulation
2.16 that:

2.17 (1) requires an additional permit or fee for a battery-charged security fence, or requires
2.18 a permit or fee for the installation or use of a battery-charged security fence that is in addition
2.19 to an alarm system permit issued by the municipality;

2.20 (2) imposes installation or operational requirements for a battery-charged security fence
2.21 that are inconsistent with the requirements and standards in subdivision 2; or

2.22 (3) prohibits the installation or use of a battery-charged security fence that meets the
2.23 requirements of subdivision 2.

2.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.