



State of Tennessee

PUBLIC CHAPTER NO. 436

SENATE BILL NO. 1289

By Bailey, Bowling

Substituted for: House Bill No. 392

By Marsh, Lamberth, McCalmon

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 32, Part 3, relative to alarm systems.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62-32-303, is amended by inserting the following as a new subdivision:

() "Battery-charged security fence":

(A) Means an alarm system, and ancillary components or equipment attached to such system, that:

(i) Interfaces with a monitored alarm system in a manner that enables the alarm system to transmit a signal intended to notify the entity responsible for monitoring the alarm system or summon law enforcement in response to an intrusion or burglary;

(ii) Is located on property that is not designated by a municipality or county exclusively for residential use;

(iii) Has an energizer that:

(a) Is powered by a commercial storage battery that is not more than twelve (12) volts of direct current; and

(b) Meets the standards set forth by the most recent version of the International Electrotechnical Commission Standard 60335-2-76, or its successor standard;

(iv) Is completely surrounded by a non-electric perimeter fence or wall that is not less than five feet (5') in height;

(v) Does not exceed ten feet (10') in height, or two feet (2') higher than the non-electric perimeter fence or wall described in subdivision () (A)(iv), whichever is higher; and

(vi) Is marked with conspicuous warning signs that are located on the battery-charged fence at intervals of no more than thirty feet (30') and that read: "WARNING - ELECTRIC FENCE"; and

(B) Includes, but is not limited to, a fence, a battery-operated energizer intended to periodically deliver voltage impulses to the connected fence, and a battery-charging device used exclusively to charge the battery for the energizer;

SECTION 2. Tennessee Code Annotated, Section 62-32-321, is amended by adding the following as a new subsection:

(i)(1) Notwithstanding another law, a municipality or county shall not adopt or enforce an ordinance, order, or regulation that:

(A) Requires a permit or fee for the installation or use of a battery-charged security fence that is in addition to an alarm system permit issued by the municipality or county;

(B) Imposes installation or operational requirements for a battery-charged security fence that are inconsistent with the requirements provided in § 62-32-303; or

(C) Prohibits the installation or use of a battery-charged security fence.

(2) Subdivision (i)(1) does not prohibit a municipality or county from adopting or enforcing an ordinance, order, or regulation that imposes requirements on a non-electric perimeter fence or wall that are unrelated to the installation or use of a battery-charged security fence, as permitted by law.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 20, 2023



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of May 2023



BILL LEE, GOVERNOR