

# SB2308



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2308

Introduced 11/13/2019, by Sen. Terry Link

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Battery-Charged Fence Alarm Act. Provides that a municipality or county may not: (1) require a permit or fee for the installation or use of a battery-charged fence alarm that is in addition to an alarm system permit issued by the municipality or county; (2) impose installation or operational requirements for the battery-charged fence that are inconsistent with the Act; or (3) prohibit the installation or use of a battery-charged fence. Defines terms. Limits home rule powers.

LRB101 15101 AWJ 64220 b

HOME RULE NOTE  
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Battery-Charged Fence Alarm Act.

6 Section 5. Definitions. As used in this Act:

7 "Alarm system" has the meaning given to that term in  
8 Section 5-10 of the Private Detective, Private Alarm, Private  
9 Security, Fingerprint Vendor, and Locksmith Act of 2004.

10 "Battery-charged fence alarm" means a new or existing alarm  
11 system and ancillary components or equipment attached to such a  
12 system including but not limited to a fence, an energizer  
13 powered by a commercial storage battery not exceeding 12 volts  
14 which produces a short electric pulsed charge upon contact with  
15 the fence and battery charging device used exclusively to  
16 charge the battery.

17 Section 10. Regulation of battery-charged fence alarms.  
18 Notwithstanding any other provision of law, a municipality or  
19 county may not:

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

1           (2) imposes installation or operational requirements  
2           for a battery-charged fence alarm other than the following  
3           requirements:

4                   (A) interfaces with a monitored alarm device in a  
5                   manner that enables the alarm system to transmit a  
6                   signal intended to summon the business or law  
7                   enforcement in response to an intrusion or burglary;

8                   (B) is located on property that is not designated  
9                   by a municipality or county exclusively for  
10                  residential use;

11                  (C) has an energizer that is driven by a commercial  
12                  storage battery that is not more than 12 volts of  
13                  direct current;

14                  (D) produces an electric charge on contact that  
15                  does not exceed energizer characteristics set for  
16                  electric fence energizers by the International  
17                  Electrotechnical Commission Standard 60335.2.76,  
18                  Current Edition;

19                  (E) is completely surrounded by a non-electric  
20                  perimeter fence or wall that is not less than 5 feet in  
21                  height;

22                  (F) is not more than the higher of:

23                           (A) ten feet in height, or

24                           (B) two feet higher than the height of the  
25                  non-electric perimeter fence or wall; and

26                  (G) is marked with conspicuous warning signs that

1           are located on the battery-charged fence at not more  
2           than 40-foot intervals and that reads:  
3           "WARNING-ELECTRIC FENCE"; or  
4           (3) prohibit the installation or use of a  
5           battery-charged fence alarm.

6           Section 15. Home Rule. A home rule unit may not regulate  
7           battery-charged fence alarms in a manner inconsistent with this  
8           Act. This Act is a limitation under subsection (i) of Section 6  
9           of Article VII of the Illinois Constitution on the concurrent  
10          exercise by home rule units of powers and functions exercised  
11          by the State.