

HB4073



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4073

Introduced 4/28/2021, by Rep. Natalie A. Manley

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 alarm. Defines terms. Limits home rule powers.

LRB102 18168 AWJ 25706 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 an alarm system and
11 ancillary components or equipment attached to such a system,
12 including, but not limited to, a fence that is connected to
13 battery-operated energizer which is intended to periodically
14 deliver voltage impulses to the fence and battery charging
15 device used exclusively to charge the battery.

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

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

1 (2) impose 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 a business or law
7 enforcement agency in response to an intrusion or
8 burglary;

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

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

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

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

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

24 (i) ten feet in height, or

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

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

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