



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2154

Introduced 2/7/2023, by Rep. Natalie A. Manley

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12022 new  
60 ILCS 1/110-80 new  
65 ILCS 5/11-13-28 new

Amends the Counties Code, Township Code, and Illinois Municipal Code. Provides that a county, township, or municipality may not require a permit or other approval for the installation, maintenance, placement, replacement, or servicing of a battery-charged fence if (i) the battery-charged fence is located on nonresidential property and surrounded by a nonelectric-perimeter fence or wall and (ii) any electrical charge produced on contact does not exceed energizer characteristics set for electric fences by the International Electrotechnical Commission. Provides that any battery-charged fence installed under the provisions must have a conspicuous warning sign located on the fence at not more than 50-foot intervals. Defines "battery-charged fence". Limits the concurrent exercise of home rule powers.

LRB103 25136 AWJ 51475 b

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 5. The Counties Code is amended by adding Section  
5 5-12022 as follows:

6 (55 ILCS 5/5-12022 new)

7 Sec. 5-12022. Battery-charged fences.

8 (a) As used in this Section, "battery-charged fence" means  
9 a fence energized by a battery that is not more than 12 volts  
10 of direct current that interfaces with an alarm system in a  
11 manner that enables the fence to cause the connected alarm  
12 system to transmit a signal intended to notify law enforcement  
13 of a potential intrusion.

14 (b) Notwithstanding any other law, a county may not  
15 require a permit or other approval for the installation,  
16 maintenance, placement, replacement, or servicing of a  
17 battery-charged fence if (i) the battery-charged fence is  
18 located on nonresidential property and surrounded by a  
19 nonelectric-perimeter fence or wall and (ii) any electrical  
20 charge produced on contact does not exceed energizer  
21 characteristics set for electric fences by the International  
22 Electrotechnical Commission.

23 (c) Any battery-charged fence installed under this Section

1 must have a conspicuous sign located on the fence at not more  
2 than 50-foot intervals that reads: "WARNING: ELECTRIC FENCE".

3 (d) A home rule county may not regulate battery-charged  
4 fencing in a manner inconsistent with this Section. This  
5 Section is a limitation under subsection (i) of Section 6 of  
6 Article VII of the Illinois Constitution on the concurrent  
7 exercise by home rule units of powers and functions exercised  
8 by the State.

9 Section 10. The Township Code is amended by adding Section  
10 110-80 as follows:

11 (60 ILCS 1/110-80 new)

12 Sec. 110-80. Battery-charged fences.

13 (a) As used in this Section, "battery-charged fence" means  
14 a fence energized by a battery that is not more than 12 volts  
15 of direct current that interfaces with an alarm system in a  
16 manner that enables the fence to cause the connected alarm  
17 system to transmit a signal intended to notify law enforcement  
18 of a potential intrusion.

19 (b) Notwithstanding any other law, a township may not  
20 require a permit or other approval for the installation,  
21 maintenance, placement, replacement, or servicing of a  
22 battery-charged fence if (i) the battery-charged fence is  
23 located on nonresidential property and surrounded by a  
24 nonelectric-perimeter fence or wall and (ii) any electrical

1 charge produced on contact does not exceed energizer  
2 characteristics set for electric fences by the International  
3 Electrotechnical Commission.

4 (c) Any battery-charged fence installed under this Section  
5 must have a conspicuous sign located on the fence at not more  
6 than 50-foot intervals that reads: "WARNING: ELECTRIC FENCE".

7 Section 15. The Illinois Municipal Code is amended by  
8 adding Section 11-13-28 as follows:

9 (65 ILCS 5/11-13-28 new)

10 Sec. 11-13-28. Battery-charged fences.

11 (a) As used in this Section, "battery-charged fence" means  
12 a fence energized by a battery that is not more than 12 volts  
13 of direct current that interfaces with an alarm system in a  
14 manner that enables the fence to cause the connected alarm  
15 system to transmit a signal intended to notify law enforcement  
16 of a potential intrusion.

17 (b) Notwithstanding any other law, a municipality may not  
18 require a permit or other approval for the installation,  
19 maintenance, placement, replacement, or servicing of a  
20 battery-charged fence if (i) the battery-charged fence is  
21 located on nonresidential property and surrounded by a  
22 nonelectric-perimeter fence or wall and (ii) any electrical  
23 charge produced on contact does not exceed energizer  
24 characteristics set for electric fences by the International

1 Electrotechnical Commission.

2 (c) Any battery-charged fence installed under this Section  
3 must have a conspicuous sign located on the fence at not more  
4 than 50-foot intervals that reads: "WARNING: ELECTRIC FENCE".

5 (d) A home rule municipality may not regulate  
6 battery-charged fencing in a manner inconsistent with this  
7 Section. This Section is a limitation under subsection (i) of  
8 Section 6 of Article VII of the Illinois Constitution on the  
9 concurrent exercise by home rule units of powers and functions  
10 exercised by the State.