

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 completely surrounded by a
19 nonelectric perimeter fence or wall that is not less than 5
20 feet in height and does not exceed 10 feet in height or 2 feet
21 higher than the nonelectric perimeter fence or wall, whichever
22 is higher, and (ii) any electrical charge produced on contact
23 does not exceed energizer characteristics set for electric

1 fences by the International Electrotechnical Commission.

2 (c) Any battery-charged fence installed under this Section
3 must have conspicuous signs located on the fence placed not
4 less than 30 feet apart that read: "WARNING: ELECTRIC FENCE".

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

11 Section 10. The Township Code is amended by adding Section
12 110-80 as follows:

13 (60 ILCS 1/110-80 new)

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

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

21 (b) Notwithstanding any other law, a township may not
22 require a permit or other approval for the installation,
23 maintenance, placement, replacement, or servicing of a
24 battery-charged fence if (i) the battery-charged fence is

1 located on nonresidential property completely surrounded by a
2 nonelectric perimeter fence or wall that is not less than 5
3 feet in height and does not exceed 10 feet in height or 2 feet
4 higher than the nonelectric perimeter fence or wall, whichever
5 is higher, and (ii) any electrical charge produced on contact
6 does not exceed energizer characteristics set for electric
7 fences by the International Electrotechnical Commission.

8 (c) Any battery-charged fence installed under this Section
9 must have conspicuous signs located on the fence placed not
10 less than 30 feet apart that read: "WARNING: ELECTRIC FENCE".

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

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

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

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

21 (b) Notwithstanding any other law, a municipality may not
22 require a permit or other approval for the installation,
23 maintenance, placement, replacement, or servicing of a
24 battery-charged fence if (i) the battery-charged fence is

1 located on nonresidential property completely surrounded by a
2 nonelectric perimeter fence or wall that is not less than 5
3 feet in height and does not exceed 10 feet in height or 2 feet
4 higher than the nonelectric perimeter fence or wall, whichever
5 is higher, and (ii) any electrical charge produced on contact
6 does not exceed energizer characteristics set for electric
7 fences by the International Electrotechnical Commission.

8 (c) Any battery-charged fence installed under this Section
9 must have conspicuous signs located on the fence placed not
10 less than 30 feet apart that read: "WARNING: ELECTRIC FENCE".

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