

SHB 1304 - H AMD 779

By Representative Hackney

WITHDRAWN 02/13/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that recent changes
4 in alarm system technology can have beneficial effects on protecting
5 industrial and commercial property owners from ongoing theft, as well
6 as minimize the demand on local government policing and judicial
7 resources. The legislature further finds that state and local
8 building codes related to electric security alarm systems vary widely
9 from jurisdiction to jurisdiction and that a uniform definition and
10 application of a statewide standard for installation of such systems
11 would be beneficial to industrial and commercial property owners
12 statewide. It is, therefore, the intent of the legislature to
13 establish a statewide standard for the installation and operation of
14 electric security alarm systems to streamline adoption and provide
15 certainty for installation of such systems.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21
17 RCW to read as follows:

18 (1) Cities and towns may not adopt or enforce any ordinance, land
19 use regulation, or building code for manufacturing, industrial, or
20 outdoor storage property that:

21 (a) Prohibits the installation or use of an electric security
22 alarm system;

23 (b) Imposes installation or operational requirements inconsistent
24 with IEC standards or this section for an electric security alarm
25 system;

26 (c) Requires a property setback for an electric security alarm
27 system or its ancillary components beyond the distance required by
28 IEC standards for separation from an external fence that surrounds
29 the perimeter of the outdoor storage property, including any existing
30 nonconforming or grandfathered fence; or

1 (d) Requires a permit of any type other than a security alarm
2 permit for the installation or use of an electric security alarm
3 system or imposes a fee for such a permit of more than \$1,000.

4 (2) For the purposes of this section:

5 (a) "Electric security alarm system" means an outdoor alarm
6 system and ancillary components, including a fence-like wiring
7 structure, placed behind an existing nonelectric fence that:

8 (i) Interfaces with an alarm system in a manner that enables the
9 fence to cause the connected alarm system to transmit a signal
10 intended to detect and alert the property owner of an intrusion or
11 burglary;

12 (ii) Has an energizer that is driven by battery of no more than
13 12 volts of direct current and that does not produce an electric
14 charge on contact that exceeds energizer characteristics set for
15 electric fence energizers by IEC standards;

16 (iii) Is surrounded by a nonelectric perimeter fence or wall that
17 is at least five feet in height;

18 (iv) Is 10 feet in height or two feet higher than the height of
19 the nonelectric perimeter fence or wall, whichever is greater; and

20 (v) Is marked with conspicuous warning signs that are located on
21 the fence at not more than 30-foot intervals and that read: "WARNING:
22 ELECTRIC FENCE."

23 (b) "IEC standards" means the standards set by the international
24 electrotechnical commission as most recently published on or before
25 January 1, 2021.

26 (c) "Outdoor storage property" means a commercial property,
27 regardless of zoning designation, that is legally authorized to
28 store, park, service, sell, or rent vehicles, vessels, equipment,
29 materials, freight, or utility infrastructure within an outdoor lot
30 or yard that is surrounded by a nonelectric perimeter fence or wall.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21
32 RCW to read as follows:

33 (1) Code cities may not adopt or enforce any ordinance, land use
34 regulation, or building code for manufacturing, industrial, or
35 outdoor storage property that:

36 (a) Prohibits the installation or use of an electric security
37 alarm system;

1 (b) Imposes installation or operational requirements inconsistent
2 with IEC standards or this section for an electric security alarm
3 system;

4 (c) Requires a property setback for an electric security alarm
5 system or its ancillary components beyond the distance required by
6 IEC standards for separation from an external fence that surrounds
7 the perimeter of the outdoor storage property, including any existing
8 nonconforming or grandfathered fence; or

9 (d) Requires a permit of any type other than a security alarm
10 permit for the installation or use of an electric security alarm
11 system or imposes a fee for such a permit of more than \$1,000.

12 (2) For the purposes of this section:

13 (a) "Electric security alarm system" means an outdoor alarm
14 system and ancillary components, including a fence-like wiring
15 structure, placed behind an existing nonelectric fence that:

16 (i) Interfaces with an alarm system in a manner that enables the
17 fence to cause the connected alarm system to transmit a signal
18 intended to detect and alert the property owner of an intrusion or
19 burglary;

20 (ii) Has an energizer that is driven by battery of no more than
21 12 volts of direct current and that does not produce an electric
22 charge on contact that exceeds energizer characteristics set for
23 electric fence energizers by IEC standards;

24 (iii) Is surrounded by a nonelectric perimeter fence or wall that
25 is at least five feet in height;

26 (iv) Is 10 feet in height or two feet higher than the height of
27 the nonelectric perimeter fence or wall, whichever is greater; and

28 (v) Is marked with conspicuous warning signs that are located on
29 the fence at not more than 30-foot intervals and that read: "WARNING:
30 ELECTRIC FENCE."

31 (b) "IEC standards" means the standards set by the international
32 electrotechnical commission as most recently published on or before
33 January 1, 2021.

34 (c) "Outdoor storage property" means a commercial property,
35 regardless of zoning designation, that is legally authorized to
36 store, park, service, sell, or rent vehicles, vessels, equipment,
37 materials, freight, or utility infrastructure within an outdoor lot
38 or yard that is surrounded by a nonelectric perimeter fence or wall.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01

2 RCW to read as follows:

3 (1) Counties may not adopt or enforce any ordinance, land use
4 regulation, or building code for manufacturing, industrial, or
5 outdoor storage property that:

6 (a) Prohibits the installation or use of an electric security
7 alarm system;

8 (b) Imposes installation or operational requirements inconsistent
9 with IEC standards or this section for an electric security alarm
10 system;

11 (c) Requires a property setback for an electric security alarm
12 system or its ancillary components beyond the distance required by
13 IEC standards for separation from an external fence that surrounds
14 the perimeter of the outdoor storage property, including any existing
15 nonconforming or grandfathered fence; or

16 (d) Requires a permit of any type other than a security alarm
17 permit for the installation or use of an electric security alarm
18 system or imposes a fee for such a permit of more than \$1,000.

19 (2) For the purposes of this section:

20 (a) "Electric security alarm system" means an outdoor alarm
21 system and ancillary components, including a fence-like wiring
22 structure, placed behind an existing nonelectric fence that:

23 (i) Interfaces with an alarm system in a manner that enables the
24 fence to cause the connected alarm system to transmit a signal
25 intended to detect and alert the property owner of an intrusion or
26 burglary;

27 (ii) Has an energizer that is driven by battery of no more than
28 12 volts of direct current and that does not produce an electric
29 charge on contact that exceeds energizer characteristics set for
30 electric fence energizers by IEC standards;

31 (iii) Is surrounded by a nonelectric perimeter fence or wall that
32 is at least five feet in height;

33 (iv) Is 10 feet in height or two feet higher than the height of
34 the nonelectric perimeter fence or wall, whichever is greater; and

35 (v) Is marked with conspicuous warning signs that are located on
36 the fence at not more than 30-foot intervals and that read: "WARNING:
37 ELECTRIC FENCE."

38 (b) "IEC standards" means the standards set by the international
39 electrotechnical commission as most recently published on or before
40 January 1, 2021.

1 (c) "Outdoor storage property" means a commercial property,
2 regardless of zoning designation, that is legally authorized to
3 store, park, service, sell, or rent vehicles, vessels, equipment,
4 materials, freight, or utility infrastructure within an outdoor lot
5 or yard that is surrounded by a nonelectric perimeter fence or wall.

6 NEW SECTION. **Sec. 5.** A new section is added to chapter 19.27
7 RCW to read as follows:

8 (1) By July 1, 2025, the state building code council shall adopt
9 or amend rules as necessary to provide that electric security alarm
10 systems are not considered structures under the state building code
11 when placed behind an existing perimeter fence in compliance with
12 section 2 of this act.

13 (2) For the purposes of this section, "electric security alarm
14 system" has the same meaning as in section 2 of this act."

15 Correct the title.

EFFECT: • Changes references to "battery-charged electric security fences" to "electrified security alarm systems."

• Prohibits local governments from adopting or enforcing regulations that would prohibit the installation or use of an electrified security alarm system on manufacturing, industrial, or outdoor storage property; impose requirements on such a system that are inconsistent with those in the bill or those adopted by the international electrotechnical commission; require a setback from the perimeter fence for such a system beyond the distance required by the international electrotechnical commission standards; require a permit fee for such a system other than a security alarm permit or require a permit fee of more than \$1,000.

• Changes the definition of "electrified security alarm system" to mean a fence-like wiring structure placed beyond an existing fence that meets certain criteria, including that the system must connect to an alarm system that can alert the property owner of an intrusion or burglary, that the system be surrounded by a non-electric perimeter fence that is at least five feet high, and that the system itself be at least 10 feet high.

• Requires the State Building Code Council to adopt or amend rules by July 1, 2025, to provide that electric security alarm systems are not considered structures under the State Building Code when placed behind a perimeter fence in compliance with the bill.

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