
SUBSTITUTE HOUSE BILL 1304

State of Washington

68th Legislature

2023 Regular Session

By House Local Government (originally sponsored by Representatives Hackney and Walen)

READ FIRST TIME 02/14/23.

1 AN ACT Relating to electric security alarm systems; adding a new
2 section to chapter 35.21 RCW; adding a new section to chapter 35A.21
3 RCW; adding a new section to chapter 36.01 RCW; and creating a new
4 section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

1 (1) Cities and towns must process permit applications for
2 battery-charged fences using the same permitting process that is used
3 for nonstructural alarm systems.

4 (2)(a) Cities and towns must process permits for battery-charged
5 fences within 120 days of the receipt of the application, unless a
6 city or town makes written findings that a specified amount of
7 additional time is needed to process a specific permit application.

8 (b) The time that a permit has been in process shall be
9 determined by counting five days each week, excluding holidays and
10 any days in which the city or town had requested additional
11 information from the applicant which the applicant had yet to
12 provide.

13 (3) The definitions in this subsection apply throughout this
14 section unless the context clearly requires otherwise.

15 (a) "Alarm system" means any electrical, mechanical, or
16 electronic device or sensor used to prevent, detect, or alert law
17 enforcement or occupants of burglary, theft, or intrusion of a
18 structure or a vehicle used as a commercial structure.

19 (b) "Battery-charged fence" means a fence that:

20 (i) Has an energizer driven by a battery;

21 (ii) Uses a battery that is not more than 12 volts of direct
22 current;

23 (iii) Produces an electric charge on contact that does not exceed
24 energizer characteristics set for electric fence energizers by IEC
25 standards;

26 (iv) Is surrounded by a nonelectric perimeter fence or wall that
27 is at least five feet in height;

28 (v) Is no higher than the greater of 10 feet in height or two
29 feet higher than the height of the nonelectric perimeter fence or
30 wall;

31 (vi) Is marked with conspicuous warning signs that are located on
32 the fence at not more than 30-foot intervals and that read: "WARNING:
33 ELECTRIC FENCE"; and

34 (vii) Interfaces with an alarm system in a manner that enables
35 the fence to cause the connected alarm system to transmit a signal
36 intended to summon law enforcement in response to an intrusion.

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

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

3 (1) Code cities must process permit applications for battery-
4 charged fences using the same permitting process that is used for
5 nonstructural alarm systems.

6 (2)(a) Code cities must process permits for battery-charged
7 fences within 120 days of the receipt of the application, unless a
8 code city makes written findings that a specified amount of
9 additional time is needed to process a specific permit application.

10 (b) The time that a permit has been in process shall be
11 determined by counting five days each week, excluding holidays and
12 any days in which the code city had requested additional information
13 from the applicant which the applicant had yet to provide.

14 (3) The definitions in this subsection apply throughout this
15 section unless the context clearly requires otherwise.

16 (a) "Alarm system" means any electrical, mechanical, or
17 electronic device or sensor used to prevent, detect, or alert law
18 enforcement or occupants of burglary, theft, or intrusion of a
19 structure or a vehicle used as a commercial structure.

20 (b) "Battery-charged fence" means a fence that:

21 (i) Has an energizer driven by a battery;

22 (ii) Uses a battery that is not more than 12 volts of direct
23 current;

24 (iii) Produces an electric charge on contact that does not exceed
25 energizer characteristics set for electric fence energizers by IEC
26 standards;

27 (iv) Is surrounded by a nonelectric perimeter fence or wall that
28 is at least five feet in height;

29 (v) Is no higher than the greater of 10 feet in height or two
30 feet higher than the height of the nonelectric perimeter fence or
31 wall;

32 (vi) Is marked with conspicuous warning signs that are located on
33 the fence at not more than 30-foot intervals and that read: "WARNING:
34 ELECTRIC FENCE"; and

35 (vii) Interfaces with an alarm system in a manner that enables
36 the fence to cause the connected alarm system to transmit a signal
37 intended to summon law enforcement in response to an intrusion.

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

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01
2 RCW to read as follows:

3 (1) Counties must process permit applications for battery-charged
4 fences using the same permitting process that is used for
5 nonstructural alarm systems.

6 (2)(a) Counties must process permits for battery-charged fences
7 within 120 days of the receipt of the application, unless a county
8 makes written findings that a specified amount of additional time is
9 needed to process a specific permit application.

10 (b) The time that a permit has been in process shall be
11 determined by counting five days each week, excluding holidays and
12 any days in which the county had requested additional information
13 from the applicant which the applicant had yet to provide.

14 (3) The definitions in this subsection apply throughout this
15 section unless the context clearly requires otherwise.

16 (a) "Alarm system" means any electrical, mechanical, or
17 electronic device or sensor used to prevent, detect, or alert law
18 enforcement or occupants of burglary, theft, or intrusion of a
19 structure or a vehicle used as a commercial structure.

20 (b) "Battery-charged fence" means a fence that:

21 (i) Has an energizer driven by a battery;

22 (ii) Uses a battery that is not more than 12 volts of direct
23 current;

24 (iii) Produces an electric charge on contact that does not exceed
25 energizer characteristics set for electric fence energizers by IEC
26 standards;

27 (iv) Is surrounded by a nonelectric perimeter fence or wall that
28 is at least five feet in height;

29 (v) Is no higher than the greater of 10 feet in height or two
30 feet higher than the height of the nonelectric perimeter fence or
31 wall;

32 (vi) Is marked with conspicuous warning signs that are located on
33 the fence at not more than 30-foot intervals and that read: "WARNING:
34 ELECTRIC FENCE"; and

35 (vii) Interfaces with an alarm system in a manner that enables
36 the fence to cause the connected alarm system to transmit a signal
37 intended to summon law enforcement in response to an intrusion.

1 (c) "IEC standards" means the standards set by the international
2 electrotechnical commission as most recently published on or before
3 January 1, 2021.

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