



2021 ASSEMBLY BILL 865

January 18, 2022 - Introduced by Representatives JAMES and CABRAL-GUEVARA, cosponsored by Senator WANGGAARD. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to create* 66.0440 of the statutes; **relating to:** regulation of certain
2 electric fences.

Analysis by the Legislative Reference Bureau

This bill limits the authority of political subdivisions to regulate battery-powered, alarmed electric security fences and prohibits certain uses of these fences.

The bill defines a battery-powered, alarmed electric security fence as an electric fence that satisfies all of the following:

1. Is equipped with an energizer that produces direct current and is powered by a commercial storage battery with a voltage of not greater than 12 volts.
2. Produces an electric charge on contact that satisfies standards provided by the International Electrotechnical Commission, as published in the latest version of the commission's standards for electric fence energizers.
3. Is connected to an alarm system that is capable of signaling law enforcement.
4. Includes warning signage that a battery-powered, alarmed electric security fence is in operation.
5. Is surrounded by a perimeter fence or wall that is at least 5 feet in height.
6. Is no more than 10 feet in height, or two feet higher than the perimeter fence or wall, whichever is higher.

Under the bill, a political subdivision may not 1) prohibit the installation or use of a battery-powered, alarmed electric security fence, except on property designated exclusively for residential use, 2) require a permit, other than an alarm system permit, for the installation or use of such a fence, or 3) impose installation or

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operation requirements that are inconsistent with the standards set by the International Electrotechnical Commission for installation or operation of an electrified fence that is a component of such a fence. The bill also prohibits a person from locating a battery-powered, alarmed electric security fence on property designated exclusively for residential use.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 66.0440 of the statutes is created to read:

2 **66.0440 Battery-powered, alarmed electric security fences. (1)** In this
3 section:

4 (a) “Battery-powered, alarmed electric security fence” means an electric fence
5 that satisfies all of the following:

6 1. Is equipped with an energizer that produces direct current and is powered
7 by a commercial storage battery with a voltage of not greater than 12 volts.

8 2. Produces an electric charge on contact that satisfies standards provided by
9 the International Electrotechnical Commission, as published in the latest version of
10 the commission’s standards for electric fence energizers.

11 3. Is connected to an alarm system that is capable of signaling law enforcement.

12 4. Includes warning signage that a battery-powered, alarmed electric security
13 fence is in operation.

14 5. Is surrounded by a perimeter fence or wall that is at least 5 feet in height.

15 6. Is no more than 10 feet in height, or 2 feet higher than the perimeter fence
16 or wall, whichever is higher.

17 (b) “Political subdivision” means a city, village, town, or county.

18 **(2)** No political subdivision may do any of the following:

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1 (a) Prohibit the installation or use of a battery-powered, alarmed electric
2 security fence, except on property designated exclusively for residential use.

3 (b) Require a permit, other than an alarm system permit, for the installation
4 or use of a battery-powered, alarmed electric security fence.

5 (c) Impose installation or operation requirements that are inconsistent with
6 the standards set by the International Electrotechnical Commission for installation
7 or operation of an electrified fence that is a component of a battery-powered, alarmed
8 electric security fence.

9 **(3)** No person may locate a battery-powered, alarmed electric security fence
10 on property designated exclusively for residential use.

11

(END)