
Wisconsin Legislative Council

AMENDMENT MEMO



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Contact: Tom Koss, Staff Attorney

2021 Assembly Bill 865

**Assembly
Amendment 1**

2021 ASSEMBLY BILL 865

2021 Assembly Bill 865 defines a “battery-powered, alarmed electric security fence” and creates specific prohibitions regarding the regulation and use of such fences.

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

- 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.
- Produces an electric charge on contact that satisfies standards provided by the International Electrotechnical Commission.
- Is connected to an alarm system that is capable of signaling law enforcement.
- Includes warning signage that a battery-powered, alarmed electric security fence is in operation.
- Is surrounded by a perimeter fence or wall that is at least five feet in height.
- Is no more than 10 feet in height, or two feet higher than the perimeter fence or wall, whichever is higher.

With respect to such fences, the bill prohibits political subdivisions from doing all of the following acts: (1) prohibiting the installation or use of such fences, except on property designated exclusively for residential use; (2) requiring a permit, other than an alarm system permit, for the installation or use of such fences; and (3) imposing installation or operation requirements that are inconsistent with certain professional standards specified in the bill.

The bill also prohibits any person from locating a battery-powered, alarmed electric security fence on property designated exclusively for residential use.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 modifies one of the requirements under the definition of a battery-powered, alarmed electric security fence. Specifically, the amendment requires that an electric fence meeting the definition be connected to any system capable of signaling law enforcement, rather than the bill’s specific requirement of an “alarm system” with such capabilities.

BILL HISTORY

Representative James introduced Assembly Amendment 1 on February 7, 2022. On February 17, 2022, the Assembly Committee on Criminal Justice and Public Safety recommended adoption of the amendment on a vote of Ayes, 14; Noes, 0; and recommended passage of the bill, as amended, on a vote of Ayes, 12; Noes, 2.

TK:jal