

1-1 By: Darby (Senate Sponsor - Taylor) H.B. No. 3371
1-2 (In the Senate - Received from the House April 23, 2019;
1-3 April 24, 2019, read first time and referred to Committee on
1-4 Business & Commerce; May 20, 2019, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 20, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the regulation of certain battery-charged fences by
1-20 municipalities and counties.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 250, Local Government Code, is amended
1-23 by adding Section 250.009 to read as follows:

1-24 Sec. 250.009. BATTERY-CHARGED FENCES. (a) In this
1-25 section, "alarm system" means an alarm system for which a permit may
1-26 be issued under Subchapter F or F-1, Chapter 214, or Subchapter D,
1-27 Chapter 233.

1-28 (b) This section applies only to a battery-charged fence
1-29 that:

1-30 (1) interfaces with an alarm system in a manner that
1-31 enables the fence to cause the connected alarm system to transmit a
1-32 signal intended to summon law enforcement in response to a
1-33 burglary;

1-34 (2) is located on property that is not designated by a
1-35 municipality or county for residential use;

1-36 (3) has an energizer that is driven by a commercial
1-37 storage battery that is not more than 12 volts of direct current;

1-38 (4) produces an electric charge on contact that does
1-39 not exceed energizer characteristics set for electric fence
1-40 energizers by the International Electrotechnical Commission as
1-41 published in the commission's standards on June 29, 2018;

1-42 (5) is completely surrounded by a nonelectric
1-43 perimeter fence or wall that is not less than five feet in height;

1-44 (6) is not more than the higher of:

1-45 (A) 10 feet in height; or

1-46 (B) two feet higher than the height of the
1-47 nonelectric perimeter fence or wall; and

1-48 (7) is marked with conspicuous warning signs that are
1-49 located on the battery-charged fence at not less than 60-foot
1-50 intervals and that read: "WARNING--ELECTRIC FENCE."

1-51 (c) Notwithstanding any other law, a municipality or county
1-52 may not adopt or enforce an ordinance, order, or regulation that:

1-53 (1) requires a permit for the installation or use of a
1-54 battery-charged fence to which this section applies that is in
1-55 addition to an alarm system permit issued by the municipality or
1-56 county;

1-57 (2) imposes installation or operational requirements
1-58 for the battery-charged fence that are inconsistent with the
1-59 standards described by Subsection (b); or

1-60 (3) prohibits the installation or use of a
1-61 battery-charged fence.

2-1 SECTION 2. This Act takes effect September 1, 2019.

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