

The House Committee on Governmental Affairs offers the following substitute to HB 854:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 general provisions applicable to counties and municipal corporations, so as to define battery  
3 charged fence; to provide for minimum standards of such fences; to prohibit additional  
4 permitting or regulation of battery charged fences by counties and municipal corporations;  
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general  
9 provisions applicable to counties and municipal corporations, is amended by adding a new  
10 Code section to read as follows:

11 "36-60-12.1.

12 (a) As used in this Code section, the term 'battery charged fence' means a new or existing  
13 alarm system or electronic security system and ancillary components or equipment attached  
14 to such system that includes, but is not limited to:

15 (1) A fence;

16 (2) An energizer powered by a commercial storage battery not exceeding 12 volts that  
17 produces a short electric pulsed charge upon contact with the fence; and

18 (3) A battery charging device used exclusively to charge the battery.

19 (b) A battery charged fence shall:

20 (1) Interface with a monitored alarm device in a manner that enables the alarm system  
21 or electronic security system to transmit a signal intended to summon law enforcement  
22 or the property owner in response to an intrusion or burglary;

23 (2) Be located only on property that is not zoned or permitted exclusively for agricultural  
24 or residential use by the county or municipal corporation;

25 (3) Have an energizer that is driven by a commercial storage battery of no more than 12  
26 volts of direct current;

- 27 (4) Produce an electric charge on contact that does not exceed energizer characteristics  
28 set for electric fence energizers by the International Electrotechnical Commission  
29 Standard 60335-2-7:2018;
- 30 (5) Be surrounded by a nonelectric perimeter fence or wall that is at least five feet in  
31 height;
- 32 (6) Be the higher of:
- 33 (A) 10 feet in height; or
- 34 (B) Two feet higher than the height of the nonelectric perimeter fence or wall; and
- 35 (7) Be marked with conspicuous warning signs that are located on the battery charged  
36 fence at no more than 40 foot intervals and that read: 'WARNING-ELECTRIC FENCE.'
- 37 (c) No county or municipal corporation may adopt or enforce any ordinance, order, or  
38 regulation that:
- 39 (1) Prohibits the installation or use of a battery charged fence;
- 40 (2) Requires a permit or fee for the installation or use of a battery charged fence that is  
41 in addition to an alarm system or electronic security system permit or fee otherwise  
42 required by the county or municipal corporation; or
- 43 (3) Imposes installation or operational requirements for the battery charged fence that  
44 are inconsistent with the requirements and standards described in subsection (b) of this  
45 Code section."

46 **SECTION 2.**

47 All laws and parts of laws in conflict with this Act are repealed.