

House Bill 130

By: Representatives Gullett of the 19<sup>th</sup>, Sainz of the 180<sup>th</sup>, Williams of the 145<sup>th</sup>, Gravley of the 67<sup>th</sup>, Momtahan of the 17<sup>th</sup>, and others

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 the term  
3 "fence detection system"; to limit the ability of counties, consolidated governments, and  
4 municipalities to regulate or prohibit such systems; to provide for related matters; to repeal  
5 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 'fence detection system' means a new or existing  
13 alarm system or electronic security system that interfaces with a monitored alarm device  
14 in a manner that enables the alarm system or electronic security system to transmit a signal  
15 intended to summon law enforcement or the property owner in response to an intrusion or  
16 burglary and has ancillary components or equipment attached to such system that include:

(1) A fence that is:

(A) Located on nonresidentially zoned property;

(B)(i) No more than ten feet in height; or

(ii) Two feet higher than a nonelectric perimeter fence or wall, whichever is taller; and

(C) Surrounded by a nonelectric perimeter fence or wall that is at least five feet in height upon which are placed conspicuous warning signs that are in no more than 30 foot intervals that read: 'WARNING- ELECTRIC FENCE';

(2) An energizer powered by a commercial storage battery not exceeding 12 volts that produces a short electric pulsed charge upon contact with the fence and that does not exceed energizer characteristics set for electric fence energizers by the International Electrotechnical Commission Standard 60335-2-76:2018; and

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

(b) Each county, consolidated government, and municipal corporation shall:

(1) Treat fence detection systems in all zoning and permitting matters exclusively as alarm systems as such term is defined in paragraph (.1) of Code Section 43-14-2; and

(2) Not, by ordinance or other regulation, prohibit the installation or use of fence detection systems that are consistent with requirements and standards described in subsection (a) of this Code section."

## **SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.