

House File 2516 - Introduced

HOUSE FILE 2516

BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 659)

A BILL FOR

1 An Act relating to the authority of counties and cities to
2 regulate the installation or use of battery-charged security
3 alarm systems on nonresidential properties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 331.301, Code 2026, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 30. a. For purposes of this subsection,
4 "battery-charged security alarm system" means an outdoor alarm
5 system that does all of the following:

6 (1) Interfaces with an alarm system in a manner that enables
7 the outdoor alarm system to cause the connected alarm system to
8 transmit a signal intended to alert the business and a monitoring
9 station operator in response to a burglary or attempted burglary.

10 (2) Is energized by a commercial storage battery not
11 exceeding twelve volts direct current and designed to
12 periodically deliver voltage impulses to the outdoor alarm
13 system.

14 (3) Includes a battery-charging device used exclusively to
15 charge the battery.

16 b. A county shall not consider a battery-charged security
17 alarm system to be a fence or to be subject to regulation
18 by fence codes, and shall not require a fence permit for the
19 installation or use of a battery-charged security alarm system on
20 property that is not used exclusively for residential purposes.

21 c. A county shall not adopt, enforce, or apply any ordinance,
22 building code, zoning regulation, or other requirement that
23 prohibits or otherwise regulates the installation or use of a
24 battery-charged security alarm system on nonresidential property,
25 provided that the battery-charged security alarm system complies
26 with all of the following requirements:

27 (1) The energizer is certified to meet the current
28 international electrotechnical commission standard 60335-2-76, or
29 a successor standard.

30 (2) The battery-charged security alarm system is located
31 behind a nonelectric perimeter fence or wall that is not less
32 than five feet in height.

33 (3) The battery-charged security alarm system is the greater
34 of ten feet in height or two feet higher than the nonelectric
35 perimeter fence or wall.

1 (4) Warning signs, in capitalized type, reading "WARNING —
2 ELECTRIC FENCE" or similar language, are posted at intervals not
3 greater than thirty feet along the fence.

4 d. This subsection does not apply to property used
5 exclusively for residential occupancy.

6 e. Notwithstanding paragraph "c", a county may only require
7 an alarm system operator license or permit for battery-charged
8 security alarm systems in the same manner as is required for any
9 other security alarm systems.

10 f. Nothing in this section shall be construed to apply
11 to security alarm systems that do not meet the definition of
12 "battery-charged security alarm system".

13 Sec. 2. Section 364.3, Code 2026, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 24. a. For purposes of this subsection,
16 "battery-charged security alarm system" means an outdoor alarm
17 system that does all of the following:

18 (1) Interfaces with an alarm system in a manner that causes
19 the connected outdoor alarm system to transmit a signal intended
20 to alert the business and a monitoring station operator in
21 response to a burglary or attempted burglary.

22 (2) Is energized by a commercial storage battery not
23 exceeding twelve volts direct current and designed to
24 periodically deliver voltage impulses to the outdoor alarm
25 system.

26 (3) Includes a battery-charging device used exclusively to
27 charge the battery.

28 b. A city shall not consider a battery-charged security alarm
29 system to be a fence or to be subject to regulation by fence
30 codes, and shall not require a fence permit for the installation
31 or use of a battery-charged security alarm system on property
32 that is not used exclusively for residential purposes.

33 c. A city shall not adopt, enforce, or apply any ordinance,
34 building code, zoning regulation, or other requirement that
35 prohibits or otherwise regulates the installation or use of a

1 battery-charged security alarm system on nonresidential property,
2 provided that the system complies with all of the following
3 requirements:

4 (1) The energizer is certified to meet the current
5 international electrotechnical commission standard 60335-2-76, or
6 a successor standard.

7 (2) The battery-charged security alarm system is located
8 behind a nonelectric perimeter fence or wall that is not less
9 than five feet in height.

10 (3) The battery-charged security alarm system is the greater
11 of ten feet in height or two feet higher than the nonelectric
12 perimeter fence or wall.

13 (4) Warning signs, in capitalized type, reading "WARNING —
14 ELECTRIC FENCE" or substantially similar language are posted at
15 intervals not greater than thirty feet along the fence.

16 d. This subsection does not apply to property used
17 exclusively for residential purposes.

18 e. Notwithstanding paragraph "c", a city may only require
19 an alarm system operator license or permit for battery-charged
20 security alarm systems in the same manner as is required for any
21 other security alarm systems.

22 f. Nothing in this section shall be construed to apply
23 to security alarm systems that do not meet the definition of
24 "battery-charged security alarm system".

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 Under current law, Code sections 331.301 and 364.3 provide
29 limitations on the powers of counties and cities, respectively.
30 This bill amends those Code sections to limit a county's
31 or city's authority to regulate the use and installation
32 of battery-charged security alarm systems under certain
33 circumstances.

34 The bill defines "battery-charged security alarm system"
35 as an outdoor alarm system that interfaces with an alarm

1 system in a manner that enables the outdoor alarm system to
2 cause the connected alarm system to transmit a signal intended
3 to alert the business and a monitoring station operator in
4 response to a burglary or attempted burglary, is energized by a
5 commercial storage battery not exceeding 12 volts direct current
6 and designed to periodically deliver voltage impulses to the
7 outdoor alarm system, and includes a battery-charging device used
8 exclusively to charge the battery.

9 The bill provides that a county or city shall not consider
10 a battery-charged security alarm system to be a fence or to be
11 subject to regulation by fence codes, and shall not require a
12 fence permit for the installation or use of a battery-charged
13 security alarm system on property that is not used exclusively
14 for residential purposes. The bill further provides that a
15 county or city shall not adopt, enforce, or apply any ordinance,
16 building code, zoning regulation, or other requirement that
17 prohibits or otherwise regulates the installation or use of a
18 battery-charged security alarm system on nonresidential property,
19 provided that the system complies with all of the following
20 requirements: (1) the energizer is certified to meet the current
21 international electrotechnical commission standard 60335-2-76,
22 or a successor standard; (2) the battery-charged security alarm
23 system is located behind a nonelectric perimeter fence or wall
24 that is not less than 5 feet in height; (3) the battery-charged
25 security alarm system is the greater of 10 feet in height or
26 2 feet higher than the surrounding nonelectric perimeter fence
27 or wall; and (4) warning signs, in capitalized type, reading
28 "WARNING — ELECTRIC FENCE" or substantially similar language are
29 posted at intervals not greater than 30 feet along the fence.

30 The bill does not apply to property used exclusively for
31 residential purposes.

32 The bill specifies that a county or city may only require
33 an alarm system operator license or permit for battery-charged
34 security alarm systems in the same manner as is required for any
35 other security alarm systems.

1 The bill specifies that nothing in the bill shall be construed
2 to apply to security alarm systems that do not meet the
3 definition of "battery-charged security alarm system".

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