

House Study Bill 659 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON BODEN)

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:

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
7 enables the outdoor alarm system to cause the connected alarm
8 system to transmit a signal intended to alert the business and
9 a monitoring station operator in response to a burglary or
10 attempted burglary.

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

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

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

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

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

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

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

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

7 d. This subsection does not apply to property used
8 exclusively for residential occupancy.

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

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

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

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

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

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

29 (3) Includes a battery-charging device used exclusively to
30 charge the battery.

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

1 purposes.

2 c. A city shall not adopt, enforce, or apply any ordinance,
3 building code, zoning regulation, or other requirement that
4 prohibits or otherwise regulates the installation or use of
5 a battery-charged security alarm system on nonresidential
6 property, provided that the system complies with all of the
7 following requirements:

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

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

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

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

20 d. This subsection does not apply to property used
21 exclusively for residential purposes.

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

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

29

EXPLANATION

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

32 Under current law, Code sections 331.301 and 364.3 provide
33 limitations on the powers of counties and cities, respectively.
34 This bill amends those Code sections to limit a county's
35 or city's authority to regulate the use and installation

1 of battery-charged security alarm systems under certain
2 circumstances.

3 The bill defines "battery-charged security alarm system" as
4 an outdoor alarm system that interfaces with an alarm system
5 in a manner that enables the outdoor alarm system to cause the
6 connected alarm system to transmit a signal intended to alert
7 the business and a monitoring station operator in response to a
8 burglary or attempted burglary, is energized by a commercial
9 storage battery not exceeding 12 volts direct current and
10 designed to periodically deliver voltage impulses to the
11 outdoor alarm system, and includes a battery-charging device
12 used exclusively to charge the battery.

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

35 The bill does not apply to property used exclusively for

1 residential purposes.

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

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