

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3055

By: Sims

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8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to security fences; amending 59 O.S.  
10                   2021, Section 1800.2, which relates to definitions;  
11                   adding definition for battery-charged security fence;  
12                   amending 59 O.S. 2021, Section 1800.12, which relates  
13                   to municipal and county authority to adopt  
14                   ordinances; prohibiting certain municipal or county  
15                   ordinances; establishing requirements for use of  
16                   battery-charged security fences; requiring acceptable  
17                   commercial standards; providing specifications for  
18                   use on acceptable property; requiring posted signage;  
19                   providing for codification; and declaring an  
20                   emergency.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22                   SECTION 1.            AMENDATORY            59 O.S. 2021, Section 1800.2, is  
23 amended to read as follows:

24                   Section 1800.2 As used in the Alarm, Locksmith and Fire  
Sprinkler Industry Act:

1. "Alarm industry" means the sale, except as provided in  
Section 1800.3 of this title, installation, alteration, repair,  
replacement, service, inspection, or maintenance of alarm systems or

1 service involving receipt of alarm signals for the purpose of  
2 employee response and investigation of such signals or any  
3 combination of the foregoing activities except inspections on one-  
4 and two-family dwellings are exempt;

5 2. "Alarm system" means one or more devices designed either to  
6 detect and signal an unauthorized intrusion or entry or to signal a  
7 fire or other emergency condition, which signals are responded to by  
8 public law enforcement officers, fire department personnel, private  
9 guards or security officers;

10 3. "Battery-charged security fence" means an alarm system and  
11 ancillary components or equipment attached to such a system  
12 including, but not limited to, a fence, a battery-operated  
13 energizer, which is intended to periodically deliver voltage  
14 impulses to the fence connected to it, and a battery-charging device  
15 used exclusively to charge the battery;

16 4. "Committee" means the Alarm, ~~and~~ Locksmith and Fire  
17 Sprinkler Industry Committee;

18 ~~4.~~ 5. "Commissioner" means the Commissioner of Labor;

19 ~~5.~~ 6. "Integrated security system" means a mechanical and/or  
20 electronic security device that includes, but is not limited to,  
21 multiple integrated locks, burglar alarm systems, access control  
22 systems, fiber-optic security systems, video surveillance systems,  
23 and nurse call systems, but does not include a stand-alone-, single-  
24 element of an integrated security system;

1       ~~6.~~ 7. "Licensee" means any person licensed pursuant to the  
2 Alarm, Locksmith and Fire Sprinkler Industry Act;

3       ~~7.~~ 8. "Lock" means mechanical or electronic devices consisting  
4 entirely of Class 2 or Class 3 circuits and power source  
5 requirements as established by the National Electrical Code and  
6 designed to control use of a device or control ingress or egress of  
7 a structure or automobile, including, but not limited to, peripheral  
8 devices to alarm systems, safes, vaults, safe deposit boxes,  
9 biometric/retina readers and mechanical or electronic key systems;

10       ~~8.~~ 9. "Locksmith industry" means the sale, servicing or  
11 installing, repairing, rebuilding, readying, rekeying, repinning,  
12 adjusting or installing locks, mechanical or electronic security  
13 devices, annunciation devices not designed to require a response by  
14 law enforcement or opening or bypassing a lock by a means other than  
15 those intended by the manufacturer of such devices. For the  
16 purposes of the Alarm, Locksmith and Fire Sprinkler Industry Act,  
17 "mechanical or electronic security devices" includes, but is not  
18 limited to, access control systems including peripheral devices to  
19 alarm systems, fiber-optic security systems, fire sprinklers, closed  
20 circuit television, video surveillance and nurse call systems;

21       ~~9.~~ 10. "Person" means an individual, sole proprietorship, firm,  
22 partnership, association, limited liability company, corporation, or  
23 other similar entity; and  
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1        ~~10.~~ 11. "Residential alarm monitoring or service contract"

2 means a contract with end users for alarm monitoring and/or services  
3 for individual residential premises for their own use.

4        SECTION 2.        AMENDATORY        59 O.S. 2021, Section 1800.12, is  
5 amended to read as follows:

6        Section 1800.12 A. Any municipality or county may levy and  
7 collect reasonable charges for alarm installation connections  
8 located in or at a police or fire department which is owned,  
9 operated or monitored by the municipality or county. Any  
10 municipality or county may require discontinuance of service of any  
11 alarm signal device which, due to mechanical malfunction or faulty  
12 equipment, causes excessive false alarms and, in the opinion of the  
13 appropriate county or municipal official, becomes a detriment to the  
14 functions of the department involved. The municipality or county  
15 may cause the disconnection of the device until the same is repaired  
16 to the satisfaction of the appropriate official; however, the  
17 municipality or county shall advise the owner or user of the device  
18 of the disconnection in advance or as soon as reasonably  
19 practicable. The municipality or county may levy and collect  
20 reasonable reconnection fees. Mechanical malfunction and faulty  
21 equipment shall not include, for the purpose of the Alarm, Locksmith  
22 and Fire Sprinkler Industry Act, false alarms caused by human error  
23 or an act of God.

1 B. No municipality may adopt any ordinance concerning the  
2 licensing of any alarm, locksmith or fire sprinkler industry  
3 business or individual which is or may be licensed pursuant to the  
4 Alarm, Locksmith and Fire Sprinkler Industry Act.

5 C. No municipality or county may adopt any ordinance, order, or  
6 regulation concerning the installation, operation, or usage of a  
7 battery-charged security fence as long as the installation,  
8 operation, and usage of the battery-charged security fence follows  
9 the requirements and standards prescribed in Section 3 of this act.

10 SECTION 3. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 1800.19 of Title 59, unless  
12 there is created a duplication in numbering, reads as follows:

13 A battery-charged security fence shall meet the following  
14 requirements:

15 1. Interfaces with a monitored alarm device in a manner that  
16 enables the alarm system to transmit a signal intended to summon the  
17 business or law enforcement in response to an intrusion or burglary;

18 2. Is located on a property that is not designated by a  
19 municipality or county exclusively for residential use;

20 3. Has an energizer that is powered by a commercial storage  
21 battery that is not more than twelve (12) volts of direct current;

22 4. Has an energizer that meets the standards set forth by the  
23 International Electrotechnical Commission Standard 60335-2-76,  
24 current edition;

1 5. Is completely surrounded by a nonelectric perimeter fence or  
2 wall that is not less than five (5) feet in height;

3 6. Does not exceed ten (10) feet in height or two (2) feet  
4 higher than the nonelectric perimeter fence or wall described in  
5 paragraph 5 of this section, whichever is higher; and

6 7. Is marked with conspicuous warning signs that are located on  
7 the battery-charged security fence at not more than thirty-foot  
8 intervals and display: "WARNING - ELECTRIC FENCE".

9 SECTION 4. It being immediately necessary for the preservation  
10 of the public peace, health or safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

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14 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 03/01/2022 -  
15 DO PASS, As Amended.

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