

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 883
Finance

(Senator Klausmeier)

Business Regulation - Security Systems - Battery-Charged Fences

This bill generally incorporates specified battery-charged fence security systems into the existing regulatory structure for wireless security systems. It further prohibits a local government from (1) imposing additional installation or operational requirements on battery-charged fence security systems or (2) prohibiting the use of a battery charged fence security system that is intended to be used for security purposes.

Fiscal Summary

State Effect: None. The bill pertains only to local governments.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: Minimal.

Analysis

Bill Summary: A “battery-charged fence security system” is an alarm security system that includes a fence, a battery-operated energizer connected to the fence and intended to periodically deliver voltage impulses to the fence, a battery charging device used exclusively to charge the battery, and any other ancillary components and attached equipment.

The bill’s provisions apply only to a battery-charged fence security system that (1) interfaces with a monitored alarm device in a manner that enables the alarm system to transmit a signal intended to alert the owner of the system or law enforcement; (2) has an energizer that meets specified standards; (3) is located behind a nonelectric perimeter fence

or wall that is at least 5 feet tall and on property that is not zoned as residential use only; (4) is not taller than 10 feet or 2 feet taller than the height of the perimeter fence or wall, whichever is taller; and (5) is marked with warning signs posted conspicuously on the fence at 40 foot intervals that state: “warning – electric fence.”

Current Law/Background: Chapter 205 of 2018 prohibits a local government from requiring an electrical license or an electrical permit to install, maintain, inspect, replace, or service specified low-voltage wireless security systems. The prohibition only applies if the wireless security system does not require the submission of a fire protection plan review to a local government for compliance with State or local building codes. A local government may require a person who provides wireless security systems to comply with a local alarm ordinance or to obtain an alarm business registration, alarm system registration, or permit under specified circumstances but cannot require the person to obtain an electrical permit. Wireless security systems are not exempt from existing State licensing requirements related to security system licensing and registration and must comply with any State or local building codes. The bill generally applies these provisions to battery-charged fence security systems and further adds that providers of battery-charged fence security systems may not be required to obtain any local permit.

Generally, a person may not engage, or solicit to engage, in the business of providing security systems services in the State unless the person obtains a license from the Department of State Police and meets specified requirements. Similarly, an individual may not personally provide security systems services unless the individual is registered as a security systems technician. There are limited exceptions. State law does not preempt local governments from licensing or regulating security systems agencies or security system users, and the bill does not exempt providers of battery-charged fence security systems from the State’s security system licensing and registration requirements.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 1216 (Delegate T. Branch) - Economic Matters.

Information Source(s): Charles, Frederick, and Montgomery counties; Maryland Association of Counties; Maryland Municipal League; Department of State Police; Department of Legislative Services

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rh/mcr

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