

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0354.01 Clare Haffner x6137

HOUSE BILL 25-1060

HOUSE SPONSORSHIP

Soper and Clifford,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF ELECTRONIC FENCE DETECTION SYSTEMS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill defines an electronic fence detection system, which is a security system that is used in conjunction with a fence. An electronic fence detection system includes a detector that, when contacted, causes an alarm system to transmit a signal to the property owner, a monitoring company authorized by the property owner, or law enforcement.

The bill allows a local government to impose installation or operational requirements for an electronic fence detection system that are consistent with the installation or operational requirements generally

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

required for other alarm systems. In addition, the bill allows a local government to require a permit for the installation or use of an electronic fence detection system that is not in addition to any permit generally required for the installation or use of any other alarm system. Lastly, the bill allows a local government to inspect an electronic fence detection system.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Certain alarm systems have battery-charged detectors that,
5 when contacted, transmit a signal to a real property owner or law
6 enforcement;

7 (b) These alarm systems are often used to protect critical
8 infrastructure, including cell phone towers, electric substations, and
9 internet service provider huts, as well as commercial construction sites
10 and other sites that are often vandalized or subject to thievery. In
11 particular, these alarm systems help prevent the theft of copper wire,
12 which is critical to maintaining the state's power grid and
13 telecommunications network.

14 (c) Such alarm systems:

15 (I) Reduce crime by causing potential thieves or vandals to rethink
16 their criminal intentions;

17 (II) Avoid adding to police backlogs by reducing crime;

18 (III) Help keep communities safe; and

19 (IV) Enable real property owners to have an effective means of
20 safeguarding assets;

21 (d) Extensive and arduous planning, zoning, permitting, and
22 variance requirements for these alarm systems could significantly delay

1 a construction project or lead to injuries near critical infrastructure
2 equipment; and

3 (e) There is a need for a statewide standard for the regulation of
4 these alarm systems, similar to how there are statewide standards for the
5 regulation of other alarm systems.

6 **SECTION 2.** In Colorado Revised Statutes, **add** article 5.8 to title
7 9 as follows:

8 **ARTICLE 5.8**

9 **Electronic Fence Detection Systems**

10 **9-5.8-101. Definitions.** AS USED IN THIS ARTICLE 5.8, UNLESS THE
11 CONTEXT OTHERWISE REQUIRES:

12 (1) "ALARM SYSTEM" MEANS A NEW OR EXISTING SYSTEM THAT
13 INCLUDES ONE OR MORE MONITORED DEVICES THAT CAN, IF THERE IS AN
14 INTRUSION ON REAL PROPERTY THAT IS USED FOR BUSINESS PURPOSES,
15 TRANSMIT A SIGNAL TO THE BUSINESS, A MONITORING COMPANY
16 AUTHORIZED BY THE BUSINESS OWNER, OR LAW ENFORCEMENT SO THAT
17 THE BUSINESS OR LAW ENFORCEMENT MAY RESPOND TO THE INTRUSION.

18 (2) "ELECTRONIC FENCE DETECTION SYSTEM" MEANS A SYSTEM
19 THAT:

20 (a) IS CONNECTED TO AN ALARM SYSTEM AND TO INTEGRATED
21 COMPONENTS OR EQUIPMENT;

22 (b) AT THE TIME A FENCE IS INSTALLED, HAS AN ENERGIZER
23 POWERED BY A TWELVE-VOLT COMMERCIAL STORAGE BATTERY THAT
24 MEETS THE STANDARDS SET FORTH BY THE INTERNATIONAL
25 ELECTROTECHNICAL COMMISSION STANDARD 60335-2-76; ■

26 (c) INCLUDES A BATTERY-CHARGED FENCE DETECTOR THAT, WHEN
27 CONTACTED, CAUSES THE ALARM SYSTEM TO TRANSMIT A SIGNAL TO THE

1 BUSINESS, A MONITORING COMPANY AUTHORIZED BY THE BUSINESS
2 OWNER, OR LAW ENFORCEMENT;

3 (d) IS NOT LOCATED ON REAL PROPERTY THAT HAS BEEN
4 DESIGNATED BY A LOCAL GOVERNMENT AS EXCLUSIVELY FOR RESIDENTIAL
5 USE;

6 (e) IS LOCATED BEHIND A NONELECTRIC PERIMETER FENCE OR
7 WALL THAT IS NOT LESS THAN FIVE FEET IN HEIGHT;

8 (f) IS THE TALLER OF:

9 (I) TEN FEET IN HEIGHT; OR

10 (II) TWO FEET TALLER THAN THE HEIGHT OF THE NONELECTRIC
11 PERIMETER FENCE OR WALL; AND

12 (g) IS MARKED WITH CONSPICUOUS WARNING SIGNS THAT ARE
13 LOCATED ON THE FENCE AT NOT MORE THAN THIRTY-FOOT INTERVALS AND
14 THAT READ: "WARNING: ELECTRIC FENCE".

15 (3) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE
16 COUNTY, CITY AND COUNTY, OR CITY.

17 **9-5.8-102. Local regulation - requirements - permits -**
18 **inspections.** (1) A LOCAL GOVERNMENT MAY IMPOSE INSTALLATION OR
19 OPERATIONAL REQUIREMENTS FOR AN ELECTRONIC FENCE DETECTION
20 SYSTEM CONSISTENT WITH THE INSTALLATION OR OPERATIONAL
21 REQUIREMENTS GENERALLY REQUIRED FOR OTHER ALARM SYSTEMS.

22 (2) A LOCAL GOVERNMENT MAY REQUIRE A PERMIT FOR THE
23 INSTALLATION OR USE OF AN ELECTRONIC FENCE DETECTION SYSTEM IF
24 THE PERMIT IS NOT IN ADDITION TO ANY PERMIT GENERALLY REQUIRED
25 FOR THE INSTALLATION OR USE OF OTHER ALARM SYSTEMS.

26 (3) A LOCAL GOVERNMENT MAY, AS PART OF OR IN ADDITION TO
27 AN INSPECTION THAT IT GENERALLY REQUIRES FOR AN ALARM SYSTEM,

1 INSPECT AN ELECTRONIC FENCE DETECTION SYSTEM TO VERIFY THAT THE
2 SYSTEM HAS THE REQUIRED CHARACTERISTICS SPECIFIED IN SECTION
3 9-5.8-101 (2).

4 (4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
5 A LOCAL GOVERNMENT MAY IMPOSE LESS STRINGENT OR MORE STRINGENT
6 REQUIREMENTS FOR THE INSTALLATION OR OPERATION OF AN ELECTRONIC
7 FENCE DETECTION SYSTEM THAT IS LOCATED IN A RESIDENTIAL AREA OR
8 MAY PROHIBIT THE INSTALLATION OR OPERATION OF AN ELECTRONIC
9 FENCE DETECTION SYSTEM IN A RESIDENTIAL AREA.

10 **SECTION 3. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly; except
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V
14 of the state constitution against this act or an item, section, or part of this
15 act within such period, then the act, item, section, or part will not take
16 effect unless approved by the people at the general election to be held in
17 November 2026 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.