

AMENDED IN SENATE MAY 19, 2015

AMENDED IN SENATE APRIL 7, 2015

SENATE BILL

No. 582

Introduced by Senator Hall

February 26, 2015

An act to add Section 835 to the Civil Code, relating to electrified fences.

LEGISLATIVE COUNSEL'S DIGEST

SB 582, as amended, Hall. Electrified fences.

Existing law prohibits an electrified fence to be offered for sale, sold, installed, or used in the state, or otherwise connected to a source of electrical current, unless the electrical current is limited and regulated by an electrical controller that meets or exceeds specified standards or specifications. Existing law also provides that the owner of land in fee has the right to the surface and to everything permanently situated beneath or above it.

This bill would authorize an owner of real property to install and operate an electrified fence on his or her property if the property is not in a residential ~~zone~~ *zone, the fence is identified by prominently placed warning signs*, and the fence meets specified electrotechnical and local requirements.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 835 is added to the Civil Code, to read:

1 835. (a) Subject to subdivision (b), an owner of real property
2 may install and operate an electrified fence on his or her property
3 consistent with all of the following:
4 (1) The property is not located in a residential zone.
5 (2) The fence meets the requirements specified by the
6 International Electrotechnical Commission for electric fence
7 energizers in “International Standard IEC 60335-2-76.”
8 (3) *The fence is identified by prominently placed warning signs*
9 *that are legible from both sides of the fence. At a minimum,*
10 *warning signs shall be placed at each gate and access point, at*
11 *intervals along the fence not exceeding 10 meters, and adjacent*
12 *to any other signs relating to chemical, radiological, or biological*
13 *hazards.*
14 (b) An owner of real property shall not install and operate an
15 electric fence where a local ordinance prohibits that installation
16 and operation. If a local ordinance allows the installation and
17 operation of an electric fence, the installation and operation of the
18 fence shall meet the requirements of that ordinance and the
19 requirements of paragraphs (1)~~—and—~~(2) to (3), inclusive, of
20 subdivision (a).