

HB 4027 STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Knopp

Action Date: 02/21/22
Action: Do pass.
Vote: 4-0-1-0
Yeas: 4 - Anderson, Golden, Jama, Patterson
Exc: 1 - Girod
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Devin Edwards, LPRO Analyst
Meeting Dates: 2/16, 2/21

WHAT THE MEASURE DOES:

Restricts local governments, except as required by state building code, from adopting or enforcing ordinance, land use regulation, or building code for nonresidential property that: (1) prohibits the installation or use of battery-charged fence; (2) imposes certain installation or operational requirements; or, (3) requires permit for battery-charged fence in addition to alarm system permit. Sets requirements for battery-charged fence.

ISSUES DISCUSSED:

- Limits on local government authority to set building code standards
- Lack of alternatives to International Electrotechnical Commission (IEC) standards for fence technology
- Technical fix to Senate Bill 742 (2021) mandating use of IEC standards
- Endorsements of IEC standards by local governments in Oregon

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The International Electrotechnical Commission (IEC) is a global membership organization of electrotechnology companies that develops uniform technical standards for industry products, such as alarm systems and battery-charged fences. Governments and firms may choose to adopt IEC standards.

The Department of Consumer and Business Services adopts, administers, and enforces a uniform, statewide building code to govern construction in Oregon. The state building code is composed of a series of specialty codes, each of which addresses a specific area of construction.

House Bill 4027 limits local government regulation, except as required by the state building code, of certain nonresidential alarm systems and battery-charged fences. Battery-charged fences are defined as fences with battery-driven energizers that enable an alarm system to alert law enforcement in response to intrusions. The measure specifies that a battery-charged fence must: use a battery of no more than 12 volts of direct current; meet the energizer characteristic set by IEC standards; be surrounded by a nonelectric perimeter fence or wall; be height-limited; and be marked with conspicuous warning signs.