

LFC Requester:	Emily Hilla
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 2/1/2024

Bill No: HB292

Sponsor: Serrato
Short Title: Battery Charged Fences with Alarms

Agency Name and Code PRC-430
Number: _____
Person Writing Bradford Borman
Phone: 412-3502 **Email** Bradford.borman@prc

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
n/a	n/a	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
n/a	n/a	n/a	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	n/a	n/a	n/a	n/a	n/a	n/a

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

This bill amends the zoning authority of a county or municipality to expressly exclude from such authority the power to prohibit the installation of a battery-charged fence, impose installation or operational requirements for battery-charged fences or alarm systems inconsistent with current international electrotechnical commission standards, or require a permit for the installation or use of a battery-charged fence that is additional to an alarm system permit issued by the local government. The bill further describes the battery-charged fences excluded from such zoning restrictions as those that use a battery of no more than 12 volts of direct current; produce an electric charge on contact that does not exceed energizer characteristics currently set for electric fence energizers by the international electrotechnical commission standards; require that they be enclosed on the outside only by a nonelectric perimeter fence or wall that is at least five feet tall; require that they be the greater of ten feet in height, or two feet higher than the height of the non-electric perimeter fence or wall; and require that they be marked with conspicuous warning signs that are located on the fence at not more than thirty-foot intervals and that read: "WARNING: ELECTRIC FENCE".

FISCAL IMPLICATIONS

It is not expected that the PRC will expend any time or funds enacting rules required by this bill or otherwise implementing this bill.

SIGNIFICANT ISSUES

No significant issues involving the PRC have been identified.

PERFORMANCE IMPLICATIONS

No performance implications for the PR.

ADMINISTRATIVE IMPLICATIONS

No administrative implications for the PRC.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None identified.

TECHNICAL ISSUES

No technical issues affecting the PRC.

OTHER SUBSTANTIVE ISSUES

None identified.

ALTERNATIVES

None identified.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The status quo would remain, and counties and municipalities would continue to have the authority to prohibit the installation of a battery-charged fence, impose installation or operational requirements for battery-charged fences or alarm systems inconsistent with current international electrotechnical commission standards, or require a permit for the installation or use of a battery-charged fence that is additional to an alarm system permit issued by the local government.

AMENDMENTS

None identified.