

HB347 ENGROSSED



1 LH19WA-2
2 By Representative Moore (P)
3 RFD: County and Municipal Government
4 First Read: 20-Apr-23
5 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

Relating to residential real estate; to provide prohibition on the installation of centralized mail delivery devices by residential real estate developers in certain new residential neighborhoods, with exceptions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds and declares the following:

(1) Centralized mail delivery is the delivery of packages, correspondence, or other items at a device, often referred to as cluster box unit, designed to group deliveries to a location not adjacent to the address of the intended recipients.

(2) Centralized mail delivery creates unsafe situations where recipients are forced to congregate in areas distant from the recipient's home to receive deliveries.

(3) Criminals with an "arrow key" will have access to every centralized mailbox in the state.

(4) Developers and homeowners must have the right to limit what they deem to be unsecure devices installed in their neighborhood or features that they deem to create an unsafe



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29 atmosphere in their neighborhoods.

30 (5) Many communities across the nation, including the
31 City of Chicago, are considering eliminating centralized mail
32 delivery to prevent criminal activity associated with cluster
33 mailbox units.

34 (6) It is inappropriate for any governmental sponsored
35 agency or any private entity that does not possess regulatory
36 authority to require the installation of centralized mail
37 delivery devices.

38 (7) Owners and renters of one and two-family dwellings
39 and townhouses demand the safety and convenience that
40 door-to-door and curbside delivery of packages, parcels, and
41 mail afford the resident.

42 (8) Consumers overwhelmingly disapprove of forced
43 centralized mail deliveries in new one and two-family
44 dwellings and townhouse neighborhoods.

45 Section 2. (a) Except as provided in this section,
46 centralized mail delivery in new one and two-family dwelling
47 neighborhoods, as well as townhouse neighborhoods, is
48 prohibited.

49 (b) The following are not subject to the restrictions
50 of this section:

51 (1) Any existing neighborhood that receives centralized
52 delivery by any entity prior to January 1, 2023.

53 (2) Any condominium or apartment development.

54 (3) Any commercial property that does not contain one
55 and two-family dwellings or townhouses.

56 (4)a. Any one or two-family dwelling neighborhood or



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57 any townhouse neighborhood in which the developer or the
58 majority of the residents have elected to install centralized
59 mail delivery; provided, however, delivery to residents within
60 the neighborhood shall not be withheld prior to or in the
61 absence of such an election.

62 b. Unless there exists an active homeowner's
63 association whereby members will vote pursuant to paragraph
64 a., only one resident of each dwelling, acting on behalf of
65 any other residents of the dwelling, may cast a vote in any
66 election under this section.

67 (5) Any installation by the United States Postal
68 Service.

69 (6) The provisions of this section shall not apply to
70 manufactured homes

71 Section 3. (a) Where installation is not prohibited
72 under this section or any other law, centralized mail delivery
73 devices, not exceeding 62 inches in height, may be located
74 within any county, municipal right-of-way, or easement if
75 doing so allows for the safe, convenient accessibility of the
76 centralized mail delivery devices, provided that the local
77 government approves the location of each installation within
78 its right-of-way or easement.

79 (b) Other than the enforcement of zoning requirement in
80 a historic district and except as provided under this section,
81 no local government shall adopt any additional requirements by
82 local ordinance or regulation pertaining to the establishment
83 of centralized mail delivery or the installation of
84 centralized mail delivery devices.

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87 Section 4. This act shall become effective immediately
88 following its passage and approval by the Governor, or its
89 otherwise becoming law.



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House of Representatives

Read for the first time and referred20-Apr-23
to the House of Representatives
committee on County and Municipal
Government
Read for the second time and placed03-May-23
on the calendar:
0 amendments
Read for the third time and passed23-May-23
as amended
Yeas 98
Nays 0
Abstains 5

John Treadwell
Clerk