### 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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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to residential real estate; to provide
10	prohibition on the installation of centralized mail delivery
11	devices by residential real estate developers in certain new
12	residential neighborhoods, with exceptions.
13	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
14	Section 1. The Legislature finds and declares the
15	following:
16	(1) Centralized mail delivery is the delivery of
17	packages, correspondence, or other items at a device, often
18	referred to as cluster box unit, designed to group deliveries
19	to a location not adjacent to the address of the intended
20	recipients.
21	(2) Centralized mail delivery creates unsafe situations
22	where recipients are forced to congregate in areas distant
23	from the recipient's home to receive deliveries.
24	(3) Criminals with an "arrow key" will have access to
25	every centralized mailbox in the state.
26	(4) Developers and homeowners must have the right to
27	limit what they deem to be unsecure devices installed in their
28	neighborhood or features that they deem to create an unsafe



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



- 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
- the neighborhood shall not be withheld prior to or in the
- absence of such an election.
- b. Unless there exists an active homeowner's
- association whereby members will vote pursuant to paragraph
- 64 a., only one resident of each dwelling, acting on behalf of
- any other residents of the dwelling, may cast a vote in any
- 66 election under this section.
- (5) Any installation by the United States Postal
- 68 Service.
- (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
- devices, not exceeding 62 inches in height, may be located
- 74 within any county, municipal right-of-way, or easement if
- 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.

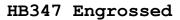


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Section 4. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.







90 91 92 House of Representatives Read for the first time and referred ......20-Apr-23 93 to the House of Representatives 94 committee on County and Municipal 95 Government 96 97 98 on the calendar: 99 0 amendments 100 101 102 Read for the third time and passed ......23-May-23 as amended 103 Yeas 98 104 Nays 0 105 Abstains 5 106 107 108 109 John Treadwell Clerk 110

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