

HB347 ENROLLED



1 LH19WA-3
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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1 Enrolled, An Act,

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

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. The Legislature finds and declares the
10 following:

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

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

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

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

25 (5) Many communities across the nation, including the
26 City of Chicago, are considering eliminating centralized mail
27 delivery to prevent criminal activity associated with cluster
28 mailbox units.



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29 (6) It is inappropriate for any governmental sponsored
30 agency or any private entity that does not possess regulatory
31 authority to require the installation of centralized mail
32 delivery devices.

33 (7) Owners and renters of one and two-family dwellings
34 and townhouses demand the safety and convenience that
35 door-to-door and curbside delivery of packages, parcels, and
36 mail afford the resident.

37 (8) Consumers overwhelmingly disapprove of forced
38 centralized mail deliveries in new one and two-family
39 dwellings and townhouse neighborhoods.

40 Section 2. (a) Except as provided in this section,
41 centralized mail delivery in new one and two-family dwelling
42 neighborhoods, as well as townhouse neighborhoods, is
43 prohibited.

44 (b) The following are not subject to the restrictions
45 of this section:

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

48 (2) Any condominium or apartment development.

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

51 (4)a. Any one or two-family dwelling neighborhood or
52 any townhouse neighborhood in which the developer or the
53 majority of the residents have elected to install centralized
54 mail delivery; provided, however, delivery to residents within
55 the neighborhood shall not be withheld prior to or in the
56 absence of such an election.



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

62 (5) Any installation by the United States Postal
63 Service.

64 (6) The provisions of this section shall not apply to
65 manufactured homes.

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

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

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



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 23-MAY-23, as amended.

John Treadwell
Clerk

Senate

01-Jun-23

Passed