



**House County and Municipal Government Reported
Substitute for SB131**

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5 A BILL

6 TO BE ENTITLED

7 AN ACT

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9 Relating to county subdivision regulations; to amend
10 Section 11-24-2, Code of Alabama 1975; to limit the period
11 during which a transfer of land to an immediate family member
12 is exempt from subdivision regulations to 24 months; **to exempt**
13 **counties where local law requires division of land by recorded**
14 **plat;** and to make nonsubstantive, technical revisions to
15 update the existing code language to current style.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 11-24-2, Code of Alabama 1975, is
18 amended to read as follows:

19 "§11-24-2

20 (a) It shall be the duty of the owner and developer of
21 each subdivision to have complete all construction ~~completed~~
22 in conformity with this chapter and, prior to beginning any
23 construction or development, to submit the proposed plat to
24 the county commission for approval and to obtain a permit to
25 develop as required in this section. The permit to develop
26 shall be obtained before the actual sale, offering for sale,
27 transfer, or lease of any lots from the subdivision or
28 addition to the public, ~~it~~ and must include a plan to deliver



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29 utilities including water.~~r~~ and The permit to develop shall
30 only be issued upon approval of the proposed plat by the
31 county commission. As a condition for the issuance of a
32 permit, the county commission may require any of the following
33 for approval of the proposed plat:

34 (1) The filing and posting of a reasonable surety bond
35 with the county commission by the developers of the proposed
36 subdivisions or proposed additions to guarantee that the
37 actual construction and installation~~are in accordance~~ comply
38 with approved plans for public streets, public roads, drainage
39 structures, and public utilities.

40 (2) The names and addresses of each adjoining landowner
41 and utility subject to the notice~~l~~ as provided in subsection
42 (b).

43 (3) A permit fee~~r~~ which that shall not exceed
44 twenty-five dollars (\$25).

45 (b) No proposed plat shall be approved or disapproved
46 by the county commission without first being reviewed by the
47 county engineer or his or her designee. Following the review,
48 the county engineer or his or her designee shall certify to
49 the commission whether the proposed plat meets the county's
50 regulations. If the proposed plat meets the regulations, it
51 shall be approved by the commission. Should the proposed plat
52 be determined by the county engineer to be deficient in any
53 regard, the county engineer shall detail the deficiency to the
54 county commission along with a recommendation that it be
55 disapproved. Notice of the~~recommendation of the engineer~~
56 engineer's recommendation shall be sent to the owner or



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57 developer whose name and address ~~appears~~ appear on the
58 submitted proposed plat by registered or certified mail at
59 least 10 days before the recommendation ~~shall be~~ is presented
60 to the county commission for action. A similar notice shall be
61 mailed to the owners of land immediately adjoining the platted
62 land as their names appear ~~upon~~ on the plats in the office of
63 the county tax assessor and as their addresses appear in the
64 directory of the county or on the tax records of the county
65 and to each utility affected ~~thereby~~. Each utility notified in
66 writing by the commission shall be given at least 10 days to
67 review the proposed plat and submit a written report to the
68 commission as to whether all provisions affecting the service
69 to be provided by the utility are reasonable and adequate. If
70 any utility affected by the proposed plat is not properly
71 notified, then the approval or disapproval by the county
72 commission shall not be valid until the affected utility has
73 been given at least 10 days' notice prior to such approval or
74 disapproval, as provided by this subsection.

75 (c) In addition to the foregoing, once the owner or
76 developer of all proposed subdivisions or proposed additions
77 to existing subdivisions of land situated outside the
78 corporate limits of any municipality in the county has met all
79 requirements of the county's regulations, he or she shall
80 submit the final plat of the developed subdivision or addition
81 to the existing subdivision to the county engineer for
82 signature verifying that the subdivision or addition to
83 existing subdivision meets the county's regulations. After the
84 final plat has been signed by the county engineer, ~~it~~ the plat



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85 shall be filed for record or received for filing in the office
 86 of the judge of probate. Subject to the penalties set out in
 87 Section 11-24-3, it shall be a violation of this chapter for
 88 the developer to file or to have filed any plat, deed,
 89 property description, or document of property transfer without
 90 full compliance with this section.

91 (d) Notwithstanding the provisions of subsections (a),
 92 (b), and (c), this section shall not apply to the sale, deed,
 93 or transfer of land by the owner to an immediate family
 94 member; ~~however, except in~~ however, except in
 95 counties where local law requires the division of land to be
 96 made by recorded plat, any transaction resulting in the direct
 97 sale, deed, or transfer of land to anyone other than an
 98 immediate family member within 24 months of an exempted
 99 interfamily transfer shall subject the use of such land to any
 100 applicable provisions of the county subdivision regulations
 101 including subsections (a) through (c). If there is any sale,
 102 deed, or transfer of land by the owner or an immediate family
 103 member to someone other than an immediate family member, this
 104 chapter shall then apply to any subdivision of property as
 105 defined in subdivision (4) of subsection (a) of Section
 106 11-24-1."

107 Section 2. This act shall become effective on October
 108 1, 2026.

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