

By: Representative White

To: Judiciary A

HOUSE BILL NO. 1250

1 AN ACT TO CREATE A NEW CODE SECTION IN CHAPTER 73, TITLE 75,
2 MISSISSIPPI CODE OF 1972, TO GOVERN THE RELATIONSHIP OF CAMPGROUND
3 OWNERS AND GUESTS OF A CAMPGROUND; TO AMEND SECTION 89-8-3,
4 MISSISSIPPI CODE OF 1972, TO CLARIFY THE EXCLUSION OF RECREATIONAL
5 VEHICLES FROM THE RESIDENTIAL LANDLORD AND TENANT PROVISIONS; AND
6 FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1. Campgrounds.** (1) As used in this section:

9 (a) "Campground" means an area or tract of land,
10 including ten (10) or more campsites, that is established,
11 operated and maintained for tent camping and the parking of
12 recreational vehicles as defined by Section 63-3-103(f) and motor
13 homes as defined by Section 63-3-103(g).

14 (b) "Campground owner" means the owner or operator of a
15 campground or an agent of an owner or operator of a campground.

16 (c) "Guest" means an individual who occupies a campsite
17 in a campground under an agreement with the campground owner.

18 (2) (a) A campground owner may ask that an individual leave
19 a campground if:



20 (i) The individual is not a registered guest or
21 visitor of the campground;

22 (ii) The individual remains on the campground
23 beyond an agreed upon departure time and date;

24 (iii) The individual defaults in the payment of
25 any lawfully imposed registration fee, visitor fee or charge;

26 (iv) The individual creates a disturbance that
27 denies other guests their right to quiet enjoyment of the
28 campground necessary for the preservation of peace, health or
29 safety; or

30 (v) The individual has violated any federal, state
31 or local law while in the campground.

32 (b) An individual who remains on or returns to a
33 campground after having been asked to leave the campground
34 pursuant to this section commits criminal trespass.

35 (c) A campground owner shall refund the unused portion
36 of any prepaid fees, less any amount otherwise owed to the
37 campground owner or deducted for damages, to a guest who is
38 removed from a campground under this section.

39 (3) A campground owner may request assistance from local law
40 enforcement to eject a person pursuant to this section.

41 (4) A person ejected from a campground has ten (10) days
42 from the date of lawful ejection made pursuant to the provisions
43 of this section to make a valid claim for any property that was
44 allegedly left behind. Once notice is issued to the campground



owner, the person has ten (10) days to collect the property. A campground owner may keep or otherwise dispose of any property left uncollected after the passage of twenty (20) days from an ejectment in the campground owner's sole discretion.

SECTION 2. Section 89-8-3, Mississippi Code of 1972, is amended as follows:

89-8-3. (1) This chapter shall apply to, regulate and determine rights, obligations and remedies under any rental agreement entered into after July 1, 1991, wherever made, for a dwelling unit located within this state. The rights, obligations and remedies of this chapter shall be in addition to all other rights, obligations and remedies provided by law and shall not alter or abridge the rights, obligations and remedies available to residential landlords and tenants pursuant to Sections 89-7-1 through 89-7-125.

(2) The following arrangements are not governed by this chapter:

(a) Residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious or similar service;

(b) Occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to his interest;



(c) Occupancy by a member of a fraternal or social organization in the portion of a structure operated for the benefit of the organization;

(d) Transient occupancy in a hotel, motel or lodgings;

(e) Occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative; * * *

(f) Occupancy under a rental agreement covering premises used by the occupant primarily for agricultural purposes or when the occupant is performing agricultural labor for the owner and such premises are rented for less than fair rental value * * *; or

(g) Occupancy for any vehicle under any form of agreement whereby a vehicle is primarily used as a temporary living quarter for recreational camping or travel and has its own motor, is mounted on, driven or directed by another vehicle. The provisions of this paragraph include, but are not limited to, travel trailers, fifth-wheel trailers, camping trailers, truck campers and motor homes.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

