

By: Representatives Yates, Mansell, Ford
(73rd), Foster, McMillan, Newman, Shanks,
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To: Judiciary A

HOUSE BILL NO. 1203
(As Sent to Governor)

1 AN ACT TO PROHIBIT CAMPING ON CERTAIN PUBLIC PROPERTY; TO
2 PROVIDE DEFINITIONS FOR THIS ACT; TO PROVIDE THAT NO PERSON MAY
3 OCCUPY A CAMPSITE INCONSISTENT WITH THE REGULATIONS OF THIS ACT
4 UNLESS SPECIFICALLY AUTHORIZED BY THE APPLICABLE GOVERNING
5 AUTHORITY ON WHICH THE CAMPSITE IS LOCATED; TO PROVIDE PENALTIES
6 FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE COURT TO MITIGATE
7 PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 97-35-25,
8 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS;
9 AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** The following words shall have the meanings
12 described herein:

13 (a) "Camp" means to place camping materials in a
14 location on any property owned or controlled by a municipality,
15 county or state, state agency or political subdivision of the
16 state.

17 (b) "Campsite" means a location on any property owned
18 or controlled by a municipality, county or state, state agency or
19 political subdivision of the state where camping materials are
20 placed.



21 (c) "Camping materials" include, but are not limited
22 to, sleeping bags, tents, huts, blankets, plastics, awnings,
23 lean-tos, chairs, tarps, portable stoves, and/or other collections
24 of personal property that are, or reasonably appear to be,
25 arranged and/or used as accommodations to camp whether or not
26 twenty-four (24) hours have passed.

27 (d) "Personal property" means any item that can
28 reasonably be identified as belonging to an individual and that
29 has apparent value or utility.

30 (e) "Public property" means sidewalks, streets, sports
31 fields, sports complexes, highways, alleys, road or other
32 passageways for pedestrian or motor vehicle traffic and includes,
33 rights of way, parking lots, easements or other similar land
34 owned, leased, controlled, or managed by a municipality, county,
35 state, state agency or political subdivision of the state. This
36 definition shall not include any spaces specifically designated by
37 a municipality, county, state, state agency or political
38 subdivision of the state for camping.

39 (f) "Relocate" means to move both the individual(s) and
40 the individual's personal property off public property, or to a
41 different location authorized by a municipality, county, state,
42 state agency or political subdivision of the state as applicable
43 for at least twenty-four (24) hours. This definition does not
44 include moving to another portion of the same property.



SECTION 2.

(1) The Legislature finds that public safety and health risks exist to persons who camp or otherwise reside on sidewalks, streets, highways, alleys, roads, passageways or other public property not specifically designated as a campsite. Accidents or intentional harm can be caused to the person who is camping by the pedestrian who crosses paths with the camper, a driver who drives too close to the camper or when things fall from motor vehicles onto the camper.

(2) The Legislature finds that persons who camp on public property do not clean or clear the public property when they move to new locations. This failure to clean or clear the public property leaves trash that causes odor and creates blight on public property.

(3) The Legislature finds that the presence of such trash, blight and odor on public property increases costs to the municipality, county, political subdivision or state for cleaning and maintenance of property.

(4) The Legislature finds that the presence of such trash, blight and odor on public property negatively affects tourism and economic development in the municipality, county or political subdivision in which it is located.

SECTION 3.

(1) No person may camp or create a campsite on any sidewalks, streets, sports fields, sports complexes, highways, alleys, roads, passageways or any other public property, except a public property that is otherwise designated for camping by a



municipality, county, political subdivision or state, or by state law.

(2) In addition to any other remedy provided by this act or otherwise provided by law, any person found in violation of this section may be immediately removed from the premises by municipal, county or state law enforcement officers.

(3) The provisions of this section shall not be construed to affect the rights of private property owners to remove any person from his or her private property.

SECTION 4. (1) No person may occupy a campsite inconsistent with the regulations in this act unless specifically authorized by the municipality, county, political subdivision or state agency, as applicable, or by state law.

(2) Unless otherwise authorized as described in subsection (1) of this section, the only locations where it is lawful to place camping materials, or store camping materials for any period of time on public property are those locations designated by state law or the municipality, county, political subdivision or state agency, as applicable.

SECTION 5. (1) Any municipality, county, political subdivision or state agency, as applicable, may remove individuals, personal property, camping materials, and campsites from public property consistent with this section as follows:

(a) Any municipality, county, political subdivision or state agency, as applicable, shall provide oral or written notice



95 which may be posted in a prominent location within the campsite
96 for twenty-four (24) hours before items from a campsite are to be
97 removed. After the expiration of twenty-four (24) hours, any
98 remaining items may be discarded by the applicable municipality,
99 county, political subdivision or state agency.

100 (b) Items having no apparent utility or monetary value
101 and items in an unsanitary condition may be discarded immediately.

102 (c) Weapons, drug paraphernalia, items appearing to be
103 stolen, and evidence of a crime may be retained as evidence by the
104 law enforcement agency of the governing authority upon which the
105 property is located.

106 (2) Whenever possible, any individual removed from a
107 campsite pursuant to this act should be provided with available
108 information concerning health, mental health, substance abuse
109 treatment, or housing resources.

110 **SECTION 6.** (1) Upon conviction for a violation of this act,
111 in addition to any other factors deemed appropriate by the court,
112 the court shall consider in mitigation whether or not the person
113 immediately removed all personal property and litter, including
114 but not limited to bottles, cans, and garbage from the campsite
115 after being informed they were in violation of the law.

116 (2) Upon conviction for a violation of this act, if an
117 individual demonstrates that after receiving the citation and
118 before the hearing, they meaningfully engaged with private
119 resources and/or service providers to address the reason(s) that



120 led them to be in violation, the court shall consider that
121 information when determining the appropriate penalty.

122 (3) Conviction for violation of this act is punishable by a
123 fine of not more than Fifty Dollars (\$50.00). In the court's
124 discretion, alternative penalties intended to address the
125 reason(s) the individual was in violation of this chapter may be
126 imposed. These alternative penalties, in the discretion of the
127 court and subject to available space in an appropriate facility,
128 may include a term of imprisonment, not to exceed six (6) months,
129 and are to be interpreted to be as broad as legally permissible.
130 For any sentence of imprisonment imposed under this section, the
131 court shall find that there are substantial and compelling reasons
132 to impose such imprisonment.

133 **SECTION 7.** Section 97-35-25, Mississippi Code of 1972, is
134 amended as follows:

135 97-35-25. (1) It shall be unlawful for any person or
136 persons to * * * willfully obstruct the free, convenient and
137 normal use of any public sidewalk, street, highway, alley,
138 road * * * or other passageway by impeding, hindering, stifling,
139 retarding or restraining traffic or passage thereon, and any
140 person or persons violating the provisions of this section shall
141 be guilty of a misdemeanor, and upon conviction thereof, shall be
142 punished by a fine of not more than Five Hundred Dollars (\$500.00)
143 or by confinement in the county jail not exceeding six (6) months,
144 or by both such fine and imprisonment.



145 (2) The provisions of this section are supplementary to the
146 provisions of any other statute of this state.

147 **SECTION 8.** This act shall take effect and be in force from
148 and after July 1, 2025.

