

By: Representative Grady

To: Judiciary A

HOUSE BILL NO. 1423

1 AN ACT TO PROVIDE THAT THE OWNER OR OPERATING AGENT OF A
2 RECREATIONAL VEHICLE PARK MAY HAVE A PERSON REMOVED FROM THE PARK
3 FOR CERTAIN REASONS; TO PROVIDE THE PROCESS FOR REMOVAL WHEN A
4 PERSON REFUSES TO LEAVE; TO AUTHORIZE A LAW ENFORCEMENT OFFICER TO
5 ARREST SUCH PERSON; TO PROVIDE THAT SUCH REFUSAL OF
6 ACCOMMODATIONS, SERVICE, OR ACCESS TO THE PREMISES MAY NOT BE
7 BASED UPON RACE, COLOR, NATIONAL ORIGIN, SEX, PHYSICAL DISABILITY,
8 OR CREED; TO BRING FORWARD SECTIONS 97-17-85 AND 75-73-9,
9 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
10 AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) The owner and/or operating agent of a
13 recreational vehicle park may refuse to provide accommodations,
14 service or access to the premises to any person whose conduct on
15 the premises of the park displays intoxication, profanity,
16 lewdness, or brawling; who fails to make payment of rent at the
17 rental rate agreed upon and by the time agreed upon; who indulges
18 in such language or conduct as to disturb the peace, quiet
19 enjoyment, or comfort of other guests; who engages in illegal or
20 disorderly conduct; or whose conduct constitutes a nuisance or
21 safety hazard.



22 (2) The owner and/or operating agent of a recreational
23 vehicle park may request that a person who violates subsection (1)
24 leave the premises immediately. A person who refuses to leave the
25 premises commits the offense of trespass as provided in Section
26 97-17-85, and the owner and/or operator may call a law enforcement
27 officer to have the person and his or her property removed under
28 the supervision of the officer. It is the duty of such law
29 enforcement officer, upon the request of such owner and/or
30 operator, to remove from the premises or place under arrest any
31 person who, according to the owner and/or operator, violated
32 subsection (1). If a warrant has been issued by the proper
33 judicial officer for the arrest of any person who violates
34 subsection (1), the officer shall serve the warrant, arrest the
35 person, and take the person into custody. Upon removal or arrest,
36 with or without warrant, the person is deemed to have abandoned or
37 given up any right to occupancy of the premises of the
38 recreational vehicle park; and the operator of the park shall
39 employ all reasonable and proper means to care for any personal
40 property left on the premises by such person. If conditions do
41 not allow for immediate removal of the person's property, he or
42 she may arrange a reasonable time, not to exceed forty-eight (48)
43 hours, with the owner and/or operator to come remove the property,
44 accompanied by a law enforcement officer. If, after forty-eight
45 (48) hours, the person has not removed his or her property, the
46 owner and/or operator of the recreational vehicle park shall have



the right to have the property removed. A law enforcement officer shall not be liable for any claim involving the removal of the person or property from the recreational vehicle park under this section.

(3) Such refusal of accommodations, service, or access to the premises may not be based upon race, color, national origin, sex, physical disability, or creed.

SECTION 2. Section 97-17-85, Mississippi Code of 1972, is brought forward as follows:

97-17-85. Except as otherwise provided in Sections 73-13-103 and 49-7-79, if any person shall go upon the enclosed land of another without his consent, after having been notified by such person or his agent not to do so, either personally or by published or posted notice, or shall remain on such land after a request by such person or his agent to depart, he shall, upon conviction, be fined not more than Fifty Dollars (\$50.00) for such offense. The provisions of this section shall apply to land not enclosed where the stock law is in force.

SECTION 3. Section 75-73-9, Mississippi Code of 1972, is brought forward as follows:

75-73-9. (1) Any person who shall, for himself or as the agent or representative of another or as an officer of a corporation, obtain food, lodging, money, property or other accommodations of a value less than Twenty-five Dollars (\$25.00) at any hotel, motel, motor hotel, motor lodge, inn, boarding or



72 eating house with intent to defraud the owner or keeper thereof,
73 shall, upon conviction, be fined not less than Fifty Dollars
74 (\$50.00) and not exceeding Five Hundred Dollars (\$500.00) or
75 imprisoned in the county jail for a term not exceeding one (1)
76 year, or both; but any person who shall, for himself or as the
77 agent or representative of another or as an officer of a
78 corporation, obtain food, lodging, money, property or other
79 accommodations of a value of Twenty-five Dollars (\$25.00) or over
80 at any hotel, motel, motor hotel, motor lodge, inn, boarding or
81 eating house with intent to defraud the owner or keeper thereof
82 shall, upon conviction, be fined not less than One Hundred Dollars
83 (\$100.00) and not exceeding One Thousand Dollars (\$1,000.00) or
84 imprisoned in the State Penitentiary for a term of one (1) year,
85 or both. In case of a second and subsequent conviction of the
86 offense described, regardless of the value of the food, lodging,
87 money, property or other accommodations obtained, the punishment
88 shall be by imprisonment in the State Penitentiary for a term of
89 not exceeding two (2) years.

90 (2) No person shall remain in a hotel or motel where his
91 term or stay has expired if the person has been given a separate
92 written notice of his agreed departure date and checkout time at
93 the time he registered in the hotel or motel, the person has
94 signed such notice acknowledging his departure time, and the
95 person has been given written notice at least three (3) hours
96 prior to the time required to leave the hotel or motel room.



97 Willful violations of this subsection shall be a misdemeanor
98 punishable by a fine of not more than One Hundred Dollars
99 (\$100.00) and each violation shall be a separate offense. This
100 subsection shall not apply in case of serious medical emergency
101 requiring the room's continued use.

102 **SECTION 4.** This act shall take effect and be in force from
103 and after July 1, 2025.

