

1 HB555
2 210394-1
3 By Representatives Pettus, Standridge, Treadaway, Ledbetter,
4 Shaver and Holmes
5 RFD: Public Safety and Homeland Security
6 First Read: 18-MAR-21

SYNOPSIS: Under existing law there is no duty of law enforcement officers to immediately remove any guest illegally present at the premises of a recreational vehicle park, upon request by the park operator.

This bill would provide an affirmative duty of law enforcement officers to immediately remove any guest illegally at the premises of a recreational vehicle park, upon request by the park operator.

This bill would also make nonsubstantive, technical revisions to update existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT

Relating to recreational vehicle parks; to amend Section 35-15-30, Code of Alabama 1975, to provide an

1 affirmative duty of law enforcement officers to remove a guest
2 illegally present at the park upon request by the park
3 operator; and to make nonsubstantive, technical revisions to
4 update the existing code language to current style.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 35-15-30, Code of Alabama 1975,
7 is amended to read as follows:

8 "§35-15-30.

9 "(a) As used in this section, the term recreational
10 vehicle park means a place set aside and offered by a person,
11 for direct or indirect remuneration of the owner, lessor, or
12 operator of the place, for the parking, accommodation, or
13 rental of five or more recreational vehicles or tents. The
14 term includes buildings and sites set aside for group camping
15 and similar recreational facilities.

16 "(b) The operator of a recreational vehicle park may
17 request a guest of the park who, while on the premises of the
18 park, illegally possesses or deals in a controlled substance,
19 as defined in Section 20-2-2; who disturbs the peace and
20 comfort of other persons; or who causes damage to the park, to
21 leave the park.

22 "(c) The operator of a recreational vehicle park may
23 notify a guest who commits any of the acts in subsection (b)
24 that the park no longer desires to entertain the guest and may
25 request the guest immediately depart from the park. The notice
26 shall be given in writing. If the guest has paid in advance,
27 the park operator, at the time the notice is given, shall

1 tender to the guest the unused portion of the advance payment.
2 Any guest who remains or attempts to remain in the park after
3 being requested to leave pursuant to this subsection is guilty
4 of a Class B misdemeanor.

5 "(d) In the event any guest is unlawful on or about
6 the premises of a recreational vehicle park as provided in
7 subsection (c), the operator may call to his or her assistance
8 any policeman, constable, deputy sheriff, sheriff, or other
9 law enforcement officer, and it shall be the duty of the law
10 enforcement officer, upon request of the operator of the
11 recreational vehicle park, to immediately remove or eject any
12 such guest, using force if necessary.

13 ~~"(d)~~ (e) The operator of the park shall employ all
14 reasonable and proper means to care for any personal property
15 left on the premises by a guest who has been removed as a
16 result of this section and refund any unused portion of ~~moneys~~
17 monies paid by the guest for the occupancy of the premises."

18 Section 2. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.