

STATE OF NEW YORK

9613--A

IN ASSEMBLY

January 26, 2018

Introduced by M. of A. JONES, D'URSO, RIVERA, LAWRENCE, B. MILLER, CROUCH, LAVINE -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property law, in relation to campgrounds

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The real property law is amended by adding a new section 233-b to read as follows:

§ 233-b. Campgrounds. a. Whenever used in this section:

1. "Campground" means any parcel or tract of land, including buildings or other structures, where five or more campsites are made available for use as temporary living quarters for recreational, camping, travel or seasonal use.

2. "Campground owner" means the owner or operator of a campground or an agent of such owner or operator.

b. A campground owner may remove or cause to be removed from a campground any person who:

1. is not a registered guest or visitor of the campground;

2. remains on the campground beyond an agreed-upon departure time and date;

3. defaults in the payment of any lawfully imposed registration or visitor fee or charge;

4. creates a disturbance that denies other persons their right to quiet enjoyment of the campground;

5. violates any federal, state or local law; or

6. violates any other lawful regulation promulgated by the campground owner and continues in violation for more than twenty-four hours after the campground owner has given written notice of such violation and directing that such person correct or cease violation of such rule or regulation.

c. A person who is removed from a campground pursuant to subdivision b of this section shall be entitled to a refund of the unused portion of

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 any prepaid fees, less any amount otherwise owed to the campground owner
2 or deducted for damages, which unused portion of prepaid fees may be
3 prorated at a rate that is based upon the daily rate charged by the
4 campground owner.

5 d. A campground owner may remove property belonging to a person who is
6 removed from a campground pursuant to subdivision b of this section from
7 a campsite and such property, whether removed from a campsite or allowed
8 to remain on a campsite, shall be deemed to be placed in storage. A
9 campground owner shall provide the owner of such property thirty days
10 written notice, by certified mail, return receipt requested, to remove
11 such property and dispose of such property pursuant to article nine of
12 the lien law in the event the owner fails to remove such property within
13 the thirty-day period of time.

14 § 2. This act shall take effect immediately.