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## ***Testimony before the Senate Committee on Judiciary and Public Safety***

Senator André Jacque

Senate Bill 235

May 27, 2025

Chairman Wanggaard and Colleagues:

Thank you for the opportunity to testify today as the author of Senate Bill 235, which clarifies that campground guests in Wisconsin are not tenants, and are therefore not subject to the state landlord tenant laws.

For years, Wisconsin campground owners have sought legal clarification that campgrounds are not residences and may remove guests without going through the civil law eviction process, and that law enforcement is required to assist them.

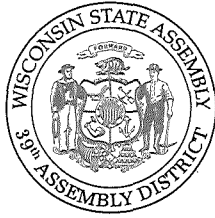
One business even had two employee-guests at the campground who were terminated but refused to leave. Local law enforcement would not intervene, wrongly maintaining that the former employees were tenants, despite language in the camping agreement clearly stating that guests are not tenants.

Sometimes, guests at public accommodations need to be removed from the premises. When guests will not leave, proprietors need to be able to call upon law enforcement to assist. Campground guests, like tavern and motel guests, are subject to removal by the police, despite some mistaken interpretations by local law enforcement that campground guests are tenants and must be evicted.

But campgrounds do not provide residences to their guests; they allow people to stay temporarily on the campground's premises. The limited scope of campgrounds' licensure does not allow campgrounds to convey a tenancy to a guest.

Campground agreements also explicitly state that the guests are not granted a lease, a periodic tenancy or tenancy at will. As is the case with hotel guests, when campers cause a breach of the peace by refusing to leave, it is not a civil matter and requires law enforcement intervention.

Assembly Bill 235 makes it clear that unwelcome campground guests who refuse to leave are subject to criminal trespass, not landlord-tenant laws. Thank you for your consideration of this legislation, and I would be happy to answer any questions.



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# ALEX A. DALLMAN

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STATE REPRESENTATIVE • 39<sup>TH</sup> ASSEMBLY DISTRICT

## Testimony in Favor of Senate Bill 235

*Senate Committee on Judiciary and Public Safety*

May 27, 2025

Thank you, Chairman Wanggaard and committee members for allowing me to testify in favor of Senate Bill 235, which will ensure campground owners can remove guests from their property who do not have consent to be there. I also want to thank Senator Jacque for his leadership on this bill.

Under current law, campground owners have a difficult time removing individuals from their campground premises that do not have permission to be there. These individuals are sometimes referred to as "squatters." State statutes are unclear whether landlord-tenant laws apply to campgrounds, and therefore law enforcement officers are unable to remove these individuals from the premises because they currently treat campgrounds as a dwelling place.

This is a growing concern across Wisconsin. Campgrounds are a place for individuals to contract with a campground owner to stay there for a certain amount of time, not without permission. SB 235 makes it clear in statutes that landlord-tenant laws under Chapter 704, Wis. Stats., do not apply to an occupant, guest, or guests of an occupant or guest of a campground. This bill also provides that a campground owner gives a written request for a person who remains on a campground premises without consent, to immediately leave the premises. This allows for due diligence from campground owners.

If after the written request to leave the person without consent remains on the campground premises, the person is guilty of a misdemeanor, fined up to \$100, or imprisoned for not more than 30 days, or both. This bill also establishes that a law enforcement officer arrest a person if there is probable cause that the person has not left the campground premises after written request to leave.

Campgrounds should be a place where people can spend time with family and friends for a contractually agreed to time, not create a permanent residence without consent. SB 235 clarifies state statutes and allows campground owners to remove unwelcome guests.

Thank you again, for the opportunity to testify before this committee today and I am happy to answer any questions you may have.

## STATEMENT ON SB 235 / AB 259

I'm Mark Hazelbaker, the attorney for the Wisconsin Association of Campground Owners. I have two points in support of the bill.

First, the bill addresses a major and recurring legal issue for campgrounds and communities. It would make it clear that campgrounds are not landlords. Our guests are aware they are not tenants. The seasonal agreements campgrounds enter into make that very clear. The agreements inform our guests they can be removed without eviction. The ability to remove guests is essential to keeping order in a campground. This clarification will also help local officials appreciate that campgrounds are not residential housing.

Second, the bill will make it clear that unwelcome guests are subject to immediate removal by law enforcement. In fifteen years of handling legal questions on WACO's legal hotline, this is one of the top issues I deal with. Law enforcement tells campgrounds that guests who won't leave are a civil matter. I have handled a large number of removals which had to go to court as a result. They are expensive and waste the courts' resources. They also leave problem guests on the campgrounds for weeks or even months. If it is clear to our guests, staff and law enforcement that guests have to go when they are asked to leave, these problems will be greatly reduced. People will leave.

I would be glad to answer questions.