

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB 332 creates the crime of “unlawful squatting”, which is when a person who enters upon the real property of another and resides on such real property for any period of time without the knowledge or consent of the property owner, rightful occupant or authorized representative of the property owner. The penalty is a fourth degree felony.

HB 332 also amends Section 30-14-1.1, regarding types of trespass and civil damages for injury to realty, by adding that a person who commits the offense of unlawful squatting and injures, damages or destroys any part of the realty or its improvements, including buildings, structures, trees, shrubs or other natural features, shall be liable to the property owner, rightful occupant or authorized representative of the property owner for damages in an amount equal to two times the amount of the appraised value of the damage of the property injured or destroyed.

Finally, HB 332 creates a citation process for someone who commits or is accused of committing the offense of unlawful squatting, and a removal process for an unlawful squatter.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

Section 30-14-1.1 is charged rarely. Since 2007, there have been 6 cases with a violation of 30-14-1.1, the most recent instance in 2018. None of these cases had that charge as the lead offense.

It is difficult to determine what the effect of passing HB 332 would be on the state’s prison population. The average per day cost to incarcerate someone in the state’s prison system is \$155.63/day; this average includes private and public facilities.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS