

By: Patterson

H.B. No. 308

A BILL TO BE ENTITLED

AN ACT

relating to creating the criminal offense of trespass on or near school or day-care center property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 30, Penal Code, is amended by adding Section 30.055 to read as follows:

Sec. 30.055. TRESPASS ON OR NEAR SCHOOL OR DAY-CARE CENTER PROPERTY. (a) In this section:

(1) "Day-care center" has the meaning assigned by Section 42.002, Human Resources Code.

(2) "Public property" includes a street, highway, alley, public park, or sidewalk.

(3) "School" means a private or public elementary or secondary school.

(4) "School or day-care center property" means all land and buildings owned or leased by a school or day-care center on which an activity sponsored by the school or day-care center is being conducted.

(b) A person commits an offense if the person:

(1) enters or remains on:

(A) school or day-care center property; or

(B) public property located within 250 feet of school or day-care center property;

(2) engages in conduct that is disruptive,

1 threatening, or harassing to a student enrolled at or employee of
2 the school or day-care center or to the operations of the school or
3 day-care center;

4 (3) does not have:

5 (A) a reason or relationship for entering or
6 remaining on the property that involves custody of or
7 responsibility for a student enrolled at the school or day-care
8 center; or

9 (B) written permission from an authorized
10 representative of the school or day-care center;

11 (4) receives a reasonable request to depart by an
12 administrator, educator, or security personnel officer employed by
13 the school or day-care center; and

14 (5) fails to depart.

15 (c) An offense under this section is a Class A misdemeanor.

16 (d) If conduct constituting an offense under this section
17 also constitutes an offense under another section of this code, the
18 actor may be prosecuted under either section or both sections.

19 SECTION 2. This Act takes effect December 1, 2025.