

By: Patterson

H.B. No. 353

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:

(A) all land and buildings owned or leased by a school or day-care center; and

(B) any grounds or buildings 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;

1           (2) does not have:

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

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

8           (3) receives a reasonable request to depart by an  
9 administrator, educator, or security personnel officer employed by  
10 the school or day-care center; and

11           (4) fails to depart.

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

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

16           SECTION 2. This Act takes effect September 1, 2025.