

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) either:
2 (A) poses a substantial risk of harm to any
3 person; or

4 (B) on more than one occasion and pursuant to the
5 same scheme or course of conduct, behaves in a manner that is
6 inappropriate for a school or day-care center setting; and

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

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

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

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