

# Criminal Trespass Research Guide

## Overview

This research guide includes information and resources on criminal trespass. "A person commits an offense if the person enters or remains on or in property of another, including residential land, agricultural land, a recreational vehicle park, a building, a general residential operation operating as a residential treatment center, or an aircraft or other vehicle, without effective consent and the person: (1) had notice that the entry was forbidden; or (2) received notice to depart but failed to do so." (*Texas Penal Code §30.05*) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

## Statutes and Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Texas Penal Code

- Ch. 30 §30.05 Criminal Trespass  
<https://statutes.capitol.texas.gov/Docs/PE/htm/PE.30.htm#30.05>

Texas Civil Practice and Remedies Code

- §125.0015(a)(23) Common Nuisance  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.125.htm#125.0015>

## Secondary Resources in Print

**Texas Criminal Practice Guide REF KFT 1775.T49**

- Vol. 5, Ch. 123 Justifications
  - § 123.03[3] No Application of Criminal Trespass

- Vol. 6, Ch. 126 Burglary and Property Damage
  - § 126.02 Criminal Trespass

**O'Connor's Texas Criminal Codes Plus REF KFT 1761.A29 O26**

- Penal Code § 30.05 Criminal Trespass

**West's Texas Digest KFT 1257.W48**

- Vol. 46D, Trespass after warning or notice (Key # 81)

**Vernon's Texas Statutes and Codes Annotated KFT 1230.5**

- Vol. 4, Penal §30.05 Criminal Trespass

**Texas Penal Code Annotated REF KFT 1761.A29 K56**

- § 30.05 Criminal Trespass

**Texas Jurisprudence III KFT 1265.T48**

- Vol. 19, Criminal Law: Offenses Against the Property, Section IV. Criminal Trespass §346-368

**O'Connor's Texas Causes of Action REF KFT 1733.O26**

- Ch. 29 §7.2 Criminal Trespass

**O'Connor's Texas Crimes and Consequences REF KFT 1761.Z9 D87**

- Chart 15-A-72 Penal Code §30.05 Criminal Trespass

**O'Connor's Texas Criminal Offenses and Defenses REF KFT 1766.8 W66**

- Ch. 23 Criminal Trespass

## Online Resources

Attorney blog: Texas Criminal Trespass and "Notice to Depart"

<https://www.criminalattorneyfortworthtx.com/texas-criminal-trespass-and-notice-to-depart/>

Attorney blog: Everything You Need to Know About Trespassing in Texas

<https://kingwoodcriminaldefenselawyer.com/criminal-defense/everything-you-need-to-know-about-trespassing-in-texas/>

Attorney blog: What If You're Facing Trespassing Charges in Texas?

<https://www.tijerinalawfirm.com/articles/what-if-youre-facing-trespassing-charges-in-texas/>

Attorney blog: Texas Trespassing Laws: Are There Degrees of Severity?

<https://www.txcrimdefense.com/texas-trespassing-laws-are-there-degrees-of-severity/>

## Legal Assistance

**Legal Lines – Ask Attorneys simple legal questions (free service)**

- Tarrant County LegalLine Sign-up  
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up  
<https://www.dallasbar.org/index.cfm?pg=legalline>

**Tarrant County Bar Association Lawyer Referral Service:** 817-336-4101 (\$20 for the first 30 minutes)