

# 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)

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

## Secondary Resources in Print

### Texas Criminal Practice Guide

- 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 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 KFT 1761.A29 K56**

- Penal Code § 30.05 Criminal Trespass

**Texas Jur KFT 1265.T48**

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

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

- Ch. 29 §7.2 Criminal Trespass

**O'Connor's Texas Causes of Action Pleadings KFT 1735.A65 O36**

- Form 29:1 Trespass to Real Property Petition
- Form 29:2 Trespass to Real Property Answer

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

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

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

- Ch. 23 Criminal Trespass

## Online Resources

**Everything You Need to Know About Trespassing in Texas (Law Office of Andrew Williams)**

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

**What If You're Facing Trespassing Charges in Texas? (Tijerina Law Firm, PC)**

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

**Texas Criminal Trespass and "Notice to Depart" (Hampton Law Firm)**

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

**Texas Trespassing Laws: Are There Degrees of Severity? (Law Office of Greg Tsioros)**

<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)**