



**NEARTOWN POLICE STOREFRONT
802 WESTHEIMER
HOUSTON, TX 77006**

Trespass Affidavit

I am the lawful owner/agent in lawful possession of the property located at:

Address: _____

City, State, Zip: _____

I hereby request and authorize the Houston Police Department to enforce all applicable trespass laws on my behalf and in my absence, in regards to the above property. I further request on my behalf, the Houston Police Department request all persons, who are not lawfully on the property, or patrons of the business establishment to immediately leave the property or be arrested pursuant to Penal Code section 30.05. "No Trespassing" signs have been posted throughout the property.

In addition, I will cooperate fully in the prosecution of anyone who is arrested for a violation of any local or state law, including trespassing and vandalism.

I currently reside at: _____

and my home number is: _____

and business number is: _____

Signed on the _____ Day of _____, 20____

Signature _____

Printed name _____

Subscribed and sworn to before me on this the _____ Day of _____, 20____,

to certify which witness my hand and seal of office.

Signature: _____

Seal:

Texas Penal Code 30.05

Criminal Trespassing

- (a) A person commits an offense if he enters or remains on property or in a building of another without effective consent and he:
 - (1) had notice that the entry was forbidden; or
 - (2) received notice to depart but failed to do so:
- (b) For the purpose of this section:
 - (1) "Entry" means the intrusion of the entire body.
 - (2) "Notice" means:
 - (A) Oral or written communication by the owner or someone with apparent authority to act for the owner;
 - (B) Fencing or other enclosure obviously designed to exclude intruders or to contain livestock;
 - (C) A sign or signs posted on the property or at the entrance to the building reasonably likely to come to the attention of intruders, indicating that entry is forbidden; or
 - (D) The visible presence on the property of a crop grown for human consumption that is under cultivation, in the process of being harvested, or marketable if harvested at the time of entry.
 - (3) "Shelter center" has the meaning assigned by section 51.002 (1), Human Resources Code.
- (c) It is a defense to the prosecution under this section that the actor at the time of the offense was a fire fighter or emergency medical service personnel, as that term is defined by Section 773.003, Health and Safety Code, acting in the lawful discharge of an official duty under exigent circumstances.
- (d) An offense under this section is a Class B misdemeanor unless it is committed in a habitation or a shelter center or unless the actor carries a deadly weapon on or about his person during the commission of the offense, in which the event it is a Class A misdemeanor.