

13.5(a) TRESPASS ON SCHOOL GROUNDS OR FACILITIES

§ 810.097, Fla. Stat.

To prove the crime of Trespass on School Grounds or Facilities, the State must prove the following two elements beyond a reasonable doubt:

Give 1a or 1b or both as applicable.

1. **a. (Defendant) entered or remained on the campus of (school name).**

 b. (Defendant) entered or remained on (facility name) owned by (school name).

Give 2a or 2b or both as applicable.

2. **a. (Defendant) did not have any legitimate business on the campus or any other authorization, license, or invitation to enter or remain upon school property.**

 b. (Defendant) was a student under suspension or expulsion at the time he or she entered or remained on the campus or any other facility owned by a school.

“School” means the grounds or any facility, including school buses, of any kindergarten, elementary school, middle school, junior high school, or secondary school, whether public or non-public.

“School bus” means any vehicle operated, owned, or contracted by a school district for student transportation.

A clearly posted sign or a verbal warning provided by the school bus operator, the principal, a school district employee, or law enforcement personnel, indicating that unauthorized boarding or remaining on a school bus is prohibited and violators will be prosecuted, constitutes sufficient notice that a person is not authorized to enter or remain on a school bus.

Lesser Included Offenses

No lesser included offenses have been identified for this offense.

Comment

This instruction was adopted in 2007 [962 So. 2d 310] and amended on September 5, 2025.