



A Resolution Supporting the Protection of Property Rights and Expedited Removal of Unauthorized Occupants

WHEREAS, the Texas Constitution, Article I, Section 17, guarantees that *“No person’s property shall be taken, damaged, or destroyed for or applied to public use without adequate compensation,”* affirming the fundamental and inviolable nature of private and agricultural property rights in Texas; and

WHEREAS, the Texas Constitution, Article I, Section 19, ensures that no person shall be deprived of property except by due course of law, establishing a bedrock principle that unlawful occupation or seizure of private and agricultural property violates the rights of the lawful owner; and

WHEREAS, the Republican Party of Texas Platform strongly supports the protection of private and agricultural property rights, including safeguarding homeowners and landowners from unlawful trespass, fraudulent claims, and criminal occupation; and

WHEREAS, illegal occupation of private and agricultural property (“squatting”) has increasingly resulted in property owners across the United States experiencing vandalism, theft, fraudulent leasing scams, identity theft, property damage, and threats to personal safety; and

WHEREAS, current Texas remedies - such as Forcible Entry and Detainer (FED) suits, writs of possession, and criminal trespass statutes - though valuable, do not always provide a sufficiently rapid mechanism to restore control of a property to its lawful owner when unauthorized individuals have taken residence; and

WHEREAS, Texas statutes addressing related criminal activity, including:

- Criminal Trespass under Texas Penal Code §30.05,
- Burglary of a Habitation under Penal Code §30.02,
- Criminal Mischief under Penal Code §28.03, and
- Fraudulent documents and claims under Penal Code Chapters 32 and 37, do not currently include a streamlined, sworn complaint process empowering sheriffs or constables to remove unauthorized occupants immediately; and

WHEREAS, several states have enacted effective models allowing property owners to file a verified complaint and request immediate removal of unauthorized occupants by the sheriff or



constable, ensuring rapid restoration of possession while preserving due process and allowing civil recourse for wrongful removal; and

WHEREAS, the State of Texas would benefit with similar statutory authority, ensuring that sheriffs or constables can act quickly to restore property rights while preventing fraud, reducing litigation burdens, and protecting homeowners from criminal misuse of their property.

NOW, THEREFORE, BE IT RESOLVED, that the Red River County Executive Committee strongly supports and urges the Texas Legislature to enact state legislation establishing an expedited removal process for unauthorized occupants of private and agricultural property, consistent with the protections afforded by the Texas Constitution; and

BE IT FURTHER RESOLVED, that such legislation should include:

1. A verified complaint process affirming legal ownership, unlawful occupation, absence of valid lease, and absence of pending litigation.
2. Authority for sheriffs and constables to serve immediate notices to vacate and remove unauthorized occupants without delay.
3. Liability protections for sheriffs, constables, and property owners acting lawfully under the statute.
4. Civil remedies for any person wrongfully removed, preserving Texas due - course - of - law protections.
5. Criminal penalties for fraudulent leases, deeds, or property - transfer documents.
6. Enhanced penalties for intentional property damage committed while unlawfully occupying a residence.

BE IT FURTHER RESOLVED, that the Red River County Executive Committee calls upon all Texas Republican legislators to champion this issue during the 90th legislative session to strengthen Texas property rights and uphold the constitutional protections guaranteed to all Texans; and

BE IT FINALLY RESOLVED, that the Red River County Executive Committee hereby adopts this resolution and that copies be forwarded to the Governor of Texas, the Lieutenant Governor, the Speaker of the Texas House, and all members of the Texas Legislature urging them to strengthen private and agricultural property rights and establish an expedited process for removing unauthorized occupants from private and agricultural property.



Executed and adopted by the Red River County Republican Party Executive Committee on the 25th day of November 2025.