



## 2027 Texas Legislative Initiative

# Protecting Texans from Unwanted Light Trespass

*Proposed amendments to Texas Health & Safety Code §343 and Penal Code §42.01 to give property owners legal standing when a neighbor's excessive outdoor lighting invades their property.*

### What is Light Trespass?

Light trespass occurs when artificial light from one property spills onto another — shining into bedrooms, across ranch land, or over neighbors' yards without consent. Unlike noise or odor, light trespass currently has no clear civil or criminal remedy under Texas law.

This initiative proposes two targeted statutory amendments that would give affected property owners — ranchers, rural residents, and suburban neighbors alike — a legal path to relief when a neighbor's excessive, unshielded lighting impairs their use and enjoyment of their own land.

## Proposed Statutory Amendments

Statute	Proposed Amendment
Health & Safety Code Chapter 343 §343.011 Nuisances – subsection (c) "a nuisance is"	ADD clause (14): Installing or maintaining lighting that interferes with the use and enjoyment of land, by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. → Establishes light trespass as a civil nuisance actionable in Texas courts.
Penal Code Chapter 42 §42.01 Disorderly Conduct Subsection (a)	ADD clause (12): Illuminates excessive lighting that trespasses onto another property. ADD to subsection (c) — Definition of "excessive": Light is presumed excessive if it exceeds the lumen limits below AND the fixture is unshielded, AND the owner continues after receiving notice from a magistrate or peace officer.

## Maximum Lumen Thresholds

Light exceeding these levels within any 3 sq ft area is presumed excessive:

### ■ Max 2,000 lumens

when CCT is at or above 2700 K (cooler/white light)

*Lower lumen cap because blue-rich light scatters more and causes greater harm.*

### ■ Max 3,000 lumens

when CCT is below 2700 K (warm amber tones)

*Higher lumen allowance because warm light has less impact on sky glow and wildlife.*

## Why This Matters for the Hill Country

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### Property Rights

Texas has a strong tradition of protecting the right of landowners to the quiet enjoyment of their property. Light trespass directly violates that right — but today there is no clear statutory remedy. These amendments align our light trespass law with the same standards already applied to noise and odor.

### Wildlife & Dark Sky Tourism

Kerr County's economy and quality of life depend on dark skies. Excessive unshielded lighting disrupts the nesting, migration, and feeding of birds, bats, and insects. It also degrades the night sky views that draw stargazers and ecotourists to the Hill Country.

### Low Bar, Targeted Relief

These amendments do not ban outdoor lighting. They target only lighting that is both excessive in output AND unshielded, AND continued after a formal notice. Property owners retain full right to reasonable outdoor lighting.

### How You Can Support This Effort

- Contact your Texas State Representative and Senator — urge them to co-author or support this legislation.
- Share this document with neighbors, ranch owners, and community organizations.
- Learn more and add your voice at the DarkSky Texas Light Trespass campaign page:

[darkskytexas.org/light-trespass-in-texas/](https://darkskytexas.org/light-trespass-in-texas/)

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