

1-1 By: Vasut, et al. (Senate Sponsor - Middleton) H.B. No. 3025  
 1-2 (In the Senate - Received from the House May 4, 2023;  
 1-3 May 5, 2023, read first time and referred to Committee on Criminal  
 1-4 Justice; May 17, 2023, reported favorably by the following vote:  
 1-5 Yeas 7, Nays 0; May 17, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the prosecution of the criminal offenses of aggravated  
 1-18 kidnapping, kidnapping, and interference with child custody.  
 1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-20 SECTION 1. This Act may be cited as Bianca's Law.  
 1-21 SECTION 2. Article 12.01, Code of Criminal Procedure, is  
 1-22 amended to read as follows:  
 1-23 Art. 12.01. FELONIES. Except as provided in Article 12.03,  
 1-24 felony indictments may be presented within these limits, and not  
 1-25 afterward:  
 1-26 (1) no limitation:  
 1-27 (A) murder and manslaughter;  
 1-28 (B) sexual assault under Section 22.011(a)(2),  
 1-29 Penal Code, or aggravated sexual assault under Section  
 1-30 22.021(a)(1)(B), Penal Code;  
 1-31 (C) sexual assault, if:  
 1-32 (i) during the investigation of the offense  
 1-33 biological matter is collected and the matter:  
 1-34 (a) has not yet been subjected to  
 1-35 forensic DNA testing; or  
 1-36 (b) has been subjected to forensic DNA  
 1-37 testing and the testing results show that the matter does not match  
 1-38 the victim or any other person whose identity is readily  
 1-39 ascertained; or  
 1-40 (ii) probable cause exists to believe that  
 1-41 the defendant has committed the same or a similar sex offense  
 1-42 against five or more victims;  
 1-43 (D) continuous sexual abuse of young child or  
 1-44 disabled individual under Section 21.02, Penal Code;  
 1-45 (E) indecency with a child under Section 21.11,  
 1-46 Penal Code;  
 1-47 (F) an offense involving leaving the scene of an  
 1-48 accident under Section 550.021, Transportation Code, if the  
 1-49 accident resulted in the death of a person;  
 1-50 (G) trafficking of persons under Section  
 1-51 20A.02(a)(7) or (8), Penal Code;  
 1-52 (H) continuous trafficking of persons under  
 1-53 Section 20A.03, Penal Code; ~~or~~  
 1-54 (I) compelling prostitution under Section  
 1-55 43.05(a)(2), Penal Code; or  
 1-56 (J) interference with child custody under  
 1-57 Section 25.03(a)(3), Penal Code;  
 1-58 (2) ten years from the date of the commission of the  
 1-59 offense:  
 1-60 (A) theft of any estate, real, personal or mixed,  
 1-61 by an executor, administrator, guardian or trustee, with intent to

2-1 defraud any creditor, heir, legatee, ward, distributee,  
2-2 beneficiary or settlor of a trust interested in such estate;  
2-3 (B) theft by a public servant of government  
2-4 property over which the public servant exercises control in the  
2-5 public servant's official capacity;  
2-6 (C) forgery or the uttering, using, or passing of  
2-7 forged instruments;  
2-8 (D) injury to an elderly or disabled individual  
2-9 punishable as a felony of the first degree under Section 22.04,  
2-10 Penal Code;  
2-11 (E) sexual assault, except as provided by  
2-12 Subdivision (1) or (7);  
2-13 (F) arson;  
2-14 (G) trafficking of persons under Section  
2-15 20A.02(a)(1), (2), (3), or (4), Penal Code; or  
2-16 (H) compelling prostitution under Section  
2-17 43.05(a)(1), Penal Code;  
2-18 (3) seven years from the date of the commission of the  
2-19 offense:  
2-20 (A) misapplication of fiduciary property or  
2-21 property of a financial institution;  
2-22 (B) fraudulent securing of document execution;  
2-23 (C) a felony violation under Chapter 162, Tax  
2-24 Code;  
2-25 (D) false statement to obtain property or credit  
2-26 under Section 32.32, Penal Code;  
2-27 (E) money laundering;  
2-28 (F) credit card or debit card abuse under Section  
2-29 32.31, Penal Code;  
2-30 (G) fraudulent use or possession of identifying  
2-31 information under Section 32.51, Penal Code;  
2-32 (H) exploitation of a child, elderly individual,  
2-33 or disabled individual under Section 32.53, Penal Code;  
2-34 (I) health care fraud under Section 35A.02, Penal  
2-35 Code; or  
2-36 (J) bigamy under Section 25.01, Penal Code,  
2-37 except as provided by Subdivision (6);  
2-38 (4) five years from the date of the commission of the  
2-39 offense:  
2-40 (A) theft or robbery;  
2-41 (B) except as provided by Subdivision (5),  
2-42 kidnapping or burglary;  
2-43 (C) injury to an elderly or disabled individual  
2-44 that is not punishable as a felony of the first degree under Section  
2-45 22.04, Penal Code;  
2-46 (D) abandoning or endangering a child; or  
2-47 (E) insurance fraud;  
2-48 (5) if the investigation of the offense shows that the  
2-49 victim is younger than 17 years of age at the time the offense is  
2-50 committed, 20 years from the 18th birthday of the victim of one of  
2-51 the following offenses:  
2-52 (A) sexual performance by a child under Section  
2-53 43.25, Penal Code;  
2-54 (B) kidnapping under Section 20.03, Penal Code,  
2-55 or aggravated kidnapping under Section 20.04 [20.04(a)(4)], Penal  
2-56 Code[, if the defendant committed the offense with the intent to  
2-57 violate or abuse the victim sexually]; or  
2-58 (C) burglary under Section 30.02, Penal Code, if  
2-59 the offense is punishable under Subsection (d) of that section and  
2-60 the defendant committed the offense with the intent to commit an  
2-61 offense described by Subdivision (1)(B) or (D) of this article or  
2-62 Paragraph (B) of this subdivision;  
2-63 (6) ten years from the 18th birthday of the victim of  
2-64 the offense:  
2-65 (A) trafficking of persons under Section  
2-66 20A.02(a)(5) or (6), Penal Code;  
2-67 (B) injury to a child under Section 22.04, Penal  
2-68 Code; or  
2-69 (C) bigamy under Section 25.01, Penal Code, if

3-1 the investigation of the offense shows that the person, other than  
3-2 the legal spouse of the defendant, whom the defendant marries or  
3-3 purports to marry or with whom the defendant lives under the  
3-4 appearance of being married is younger than 18 years of age at the  
3-5 time the offense is committed;

3-6 (7) two years from the date the offense was  
3-7 discovered: sexual assault punishable as a state jail felony under  
3-8 Section 22.011(f)(2), Penal Code; or

3-9 (8) three years from the date of the commission of the  
3-10 offense: all other felonies.

3-11 SECTION 3. Section 25.03, Penal Code, is amended by adding  
3-12 Subsection (e) to read as follows:

3-13 (e) If conduct that constitutes an offense under Subsection  
3-14 (a)(3) also constitutes an offense under Section 20.03, the actor  
3-15 may be prosecuted only under Section 20.03.

3-16 SECTION 4. Article 12.01, Code of Criminal Procedure, as  
3-17 amended by this Act, does not apply to the prosecution of an offense  
3-18 if that prosecution becomes barred by limitation before the  
3-19 effective date of this Act. The prosecution of the offense remains  
3-20 barred as if this Act had not taken effect.

3-21 SECTION 5. Section 25.03(e), Penal Code, as added by this  
3-22 Act, applies only to an offense committed on or after the effective  
3-23 date of this Act. An offense committed before the effective date of  
3-24 this Act is governed by the law in effect on the date the offense was  
3-25 committed, and the former law is continued in effect for that  
3-26 purpose. For purposes of this section, an offense was committed  
3-27 before the effective date of this Act if any element of the offense  
3-28 occurred before that date.

3-29 SECTION 6. This Act takes effect September 1, 2023.

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