

By: Hinojosa

S.B. No. 615

A BILL TO BE ENTITLED

AN ACT

relating to the statute of limitations for sexual assault and aggravated sexual assault.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article [12.01](#), Code of Criminal Procedure, as amended by Chapters 93 (S.B. 1527), 118 (H.B. 467), 127 (H.B. 1207), 422 (H.B. 1769), 520 (H.B. 3025), 689 (H.B. 1506), 704 (H.B. 2019), 709 (H.B. 2190), 768 (H.B. 4595), 830 (H.B. 2187), 885 (H.B. 4635), and 1041 (S.B. 129), Acts of the 88th Legislature, Regular Session, 2023, is reenacted and amended to read as follows:

Art. 12.01. FELONIES. Except as provided in Articles 12.015 and 12.03, felony indictments may be presented within these limits, and not afterward:

(1) no limitation:

(A) murder and manslaughter;

(B) sexual assault under Section [22.011](#) [~~[22.011\(a\)\(2\)](#)~~], Penal Code, or aggravated sexual assault under Section [22.021](#) [~~[22.021\(a\)\(1\)\(B\)](#)~~], Penal Code;

(C) [~~sexual assault, if:~~

~~[(i) during the investigation of the offense biological matter is collected and the matter:~~

~~[(a) has not yet been subjected to forensic DNA testing, or~~

~~[(b) has been subjected to forensic~~

1 ~~DNA testing and the testing results show that the matter does not~~  
2 ~~match the victim or any other person whose identity is readily~~  
3 ~~ascertained; or~~

4 ~~[(ii) probable cause exists to believe that~~  
5 ~~the defendant has committed the same or a similar sex offense~~  
6 ~~against five or more victims;~~

7 ~~[(D)]~~ continuous sexual abuse of young child or  
8 disabled individual under Section 21.02, Penal Code;

9 (D) ~~[(E)]~~ indecency with a child under Section  
10 21.11, Penal Code;

11 (E) ~~[(F)]~~ an offense involving leaving the scene  
12 of a collision under Section 550.021, Transportation Code, if the  
13 collision resulted in the death of a person;

14 (F) ~~[(G)]~~ trafficking of persons under Section  
15 20A.02(a)(7) or (8), Penal Code;

16 (G) ~~[(H)]~~ continuous trafficking of persons  
17 under Section 20A.03, Penal Code;

18 (H) ~~[(I)]~~ compelling prostitution under Section  
19 43.05(a)(2) or (3), Penal Code; ~~[or]~~

20 (I) ~~[(J)]~~ tampering with physical evidence under  
21 Section 37.09(a)(1) or (d)(1), Penal Code, if:

22 (i) the evidence tampered with is a human  
23 corpse, as defined by that section; or

24 (ii) the investigation of the offense shows  
25 that a reasonable person in the position of the defendant at the  
26 time of the commission of the offense would have cause to believe  
27 that the evidence tampered with is related to a criminal homicide

1 under Chapter 19, Penal Code;

2 (J) interference with child custody under  
3 Section 25.03(a)(3), Penal Code; or

4 (K) [~~(J)~~] burglary under Section 30.02, Penal  
5 Code, if:

6 (i) the offense is punishable under  
7 Subsection (d) of that section because the defendant entered a  
8 habitation with the intent to commit an offense under Section  
9 22.011 or 22.021, Penal Code; and

10 (ii) during the investigation of the  
11 offense biological matter is collected and the matter:

12 (a) has not yet been subjected to  
13 forensic DNA testing; or

14 (b) has been subjected to forensic DNA  
15 testing and the testing results show that the matter does not match  
16 the victim or any other person whose identity is readily  
17 ascertained;

18 (2) ten years from the date of the commission of the  
19 offense:

20 (A) theft of any estate, real, personal or mixed,  
21 by an executor, administrator, guardian or trustee, with intent to  
22 defraud any creditor, heir, legatee, ward, distributee,  
23 beneficiary or settlor of a trust interested in such estate;

24 (B) theft by a public servant of government  
25 property over which the public servant exercises control in the  
26 public servant's official capacity;

27 (C) forgery or the uttering, using, or passing of

1 forged instruments;

2 (D) injury to an elderly or disabled individual  
3 punishable as a felony of the first degree under Section 22.04,  
4 Penal Code;

5 (E) ~~[sexual assault, except as provided by~~  
6 ~~Subdivision (1) or (8)],~~

7 ~~[(F)]~~ arson;

8 (F) ~~[(G)]~~ trafficking of persons under Section  
9 20A.02(a)(1), (2), (3), or (4), Penal Code; or

10 (G) ~~[(H)]~~ compelling prostitution under Section  
11 43.05(a)(1), Penal Code;

12 (3) seven years from the date of the commission of the  
13 offense:

14 (A) misapplication of fiduciary property or  
15 property of a financial institution;

16 (B) fraudulent securing of document execution;

17 (C) a felony violation under Chapter 162, Tax  
18 Code;

19 (D) false statement to obtain property or credit  
20 under Section 32.32, Penal Code;

21 (E) money laundering;

22 (F) credit card or debit card abuse under Section  
23 32.31, Penal Code;

24 (G) fraudulent use or possession of identifying  
25 information under Section 32.51, Penal Code;

26 (H) exploitation of a child, elderly individual,  
27 or disabled individual under Section 32.53, Penal Code;

- 1 (I) health care fraud under Section 35A.02, Penal  
2 Code;
- 3 (J) bigamy under Section 25.01, Penal Code,  
4 except as provided by Subdivision (7); or
- 5 (K) possession or promotion of child pornography  
6 under Section 43.26, Penal Code;
- 7 (4) five years from the date of the commission of the  
8 offense:
- 9 (A) theft or robbery;
- 10 (B) except as provided by Subdivision (5),  
11 kidnapping;
- 12 (C) [~~(B-1)~~] except as provided by Subdivision  
13 (1) or (5), burglary;
- 14 (D) [~~(C)~~] injury to an elderly or disabled  
15 individual that is not punishable as a felony of the first degree  
16 under Section 22.04, Penal Code;
- 17 (E) [~~(D)~~] abandoning or endangering an [~~a~~  
18 ~~child,~~] elderly [~~individual,~~] or disabled individual;
- 19 (F) [~~(E)~~] insurance fraud;
- 20 (G) [~~(F)~~] assault under Section 22.01, Penal  
21 Code, if the assault was committed against a person whose  
22 relationship to or association with the defendant is described by  
23 Section 71.0021(b), 71.003, or 71.005, Family Code;
- 24 (H) [~~(G)~~] continuous violence against the family  
25 under Section 25.11, Penal Code; or
- 26 (I) [~~(H)~~] aggravated assault under Section  
27 22.02, Penal Code;

1           (5) if the investigation of the offense shows that the  
2 victim is younger than 17 years of age at the time the offense is  
3 committed, 20 years from the 18th birthday of the victim of one of  
4 the following offenses:

5           (A) kidnapping under Section 20.03, Penal Code,  
6 or aggravated kidnapping under Section 20.04, Penal Code; or

7           (B) subject to Subdivision (1)(K) [~~(1)(J)~~],  
8 burglary under Section 30.02, Penal Code, if the offense is  
9 punishable under Subsection (d) of that section because the  
10 defendant entered a habitation with the intent to commit an offense  
11 described by Subdivision (1)(B) or (C) [~~(D)~~] of this article or  
12 Paragraph (A) of this subdivision;

13           (6) 20 years from the 18th birthday of the victim of  
14 one of the following offenses:

15           (A) trafficking of a child [~~persons~~] under  
16 Section 20A.02(a)(5) or (6), Penal Code; or

17           (B) sexual performance by a child under Section  
18 43.25, Penal Code;

19           (7) ten years from the 18th birthday of the victim of  
20 the offense:

21           (A) injury to a child under Section 22.04, Penal  
22 Code;

23           (B) bigamy under Section 25.01, Penal Code, if  
24 the investigation of the offense shows that the person, other than  
25 the legal spouse of the defendant, whom the defendant marries or  
26 purports to marry or with whom the defendant lives under the  
27 appearance of being married is younger than 18 years of age at the

1 time the offense is committed; or

2 (C) [~~(D)~~] abandoning or endangering a child;

3 (8) [~~(7)~~] ten years from the date the offense was  
4 discovered: trafficking of a disabled individual under Section  
5 [20A.02](#)(a)(5) or (6), Penal Code;

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

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

11 SECTION 2. The change in law made by this Act does not apply  
12 to an offense if the prosecution of that offense becomes barred by  
13 limitation before the effective date of this Act. The prosecution  
14 of that offense remains barred as if this Act had not taken effect.

15 SECTION 3. This Act takes effect September 1, 2025.