

By: Huffman

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A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to human trafficking, prostitution, and child pornography  
3 and to the prosecution of sexual or assaultive offenses or the  
4 prosecution of a failure to stop or report those offenses; amending  
5 and harmonizing certain statute of limitations provisions;  
6 creating a criminal offense; increasing a criminal penalty.

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

## ARTICLE 1. HUMAN TRAFFICKING

9 SECTION 1.01. Section 402.034(c), Government Code, is  
10 amended to read as follows:

11 (c) The council is composed of the following:

12 (1) the governor or the governor's designee;

15 (3) the commissioner of the Department of Family and  
16 Protective Services or the commissioner's designee;

22 (A) the Texas Workforce Commission;

23 (B) the Texas Alcoholic Beverage Commission;

24 (C) the Parks and Wildlife Department;

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1 (D) the Texas Department of Licensing and  
2 Regulation:

3 (E) the Texas Education Agency; [and]

(F) the Texas Department of Transportation; and

11 SECTION 1.02. Section 402.0351(a), Government Code, is  
12 amended by amending Subdivision (1) and adding Subdivision (1-a) to  
13 read as follows:

14 (1) "Body piercing studio" has the meaning assigned by  
15 Section 146.001. Health and Safety Code.

16                           (1-a) "Cosmetology facility" means a person who holds  
17 a license to operate a facility or school under Chapter 1603 [~~1602~~],  
18 Occupations Code, where cosmetology is practiced.

19 SECTION 1.03. Section 402.0351(a-1), Government Code, is  
20 amended to read as follows:

25 (1) an entity permitted or licensed under Chapter 25,  
26 26, 28, 32, 69, or 71, Alcoholic Beverage Code, other than an entity  
27 holding a food and beverage certificate:

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- (2) a cosmetology facility;
- (3) a hospital;
- (4) a massage establishment;
- (5) a massage school;
- (6) a sexually oriented business;
- (7) a tattoo studio; [or]
- (8) a transportation hub; or
- (9) a body piercing studio.

9 SECTION 1.04. Chapter 146, Health and Safety Code, is  
10 amended by adding Section 146.0075 to read as follows:

11 Sec. 146.0075. REQUIRED HUMAN TRAFFICKING TRAINING. (a)  
12 Each employee of a tattoo studio or body piercing studio within the  
13 time prescribed by rules adopted by the executive commissioner  
14 shall complete a training course approved by the executive  
15 commissioner on identifying and assisting victims of human  
16 trafficking.

17                   (b) The executive commissioner shall approve training  
18 courses on human trafficking prevention, including at least one  
19 course that is available without charge. The department shall post  
20 the list of the approved training courses on the department's  
21 Internet website.

22                   (c) A tattoo studio or body piercing studio shall post signs  
23 relating to human trafficking as required by Section [402.0351](#),  
24 Government Code.

25 SECTION 1.05. Subchapter G, Chapter 1603, Occupations Code,  
26 is amended by adding Section 1603.302 to read as follows:

27 Sec. 1603.302. CONTINUING EDUCATION REGARDING HUMAN

1       TRAFFICKING. The commission shall adopt rules requiring a license  
2       holder to complete continuing education on identifying and  
3       assisting victims of human trafficking.

4           SECTION 1.06. Section [20A.02\(a\)](#), Penal Code, is amended to  
5       read as follows:

6           (a) A person commits an offense if the person knowingly:

7               (1) traffics another person with the intent that the  
8       trafficked person engage in forced labor or services;

9               (2) receives a benefit from participating in a venture  
10      that involves an activity described by Subdivision (1), including  
11      by receiving labor or services the person knows are forced labor or  
12      services;

13               (3) traffics another person and, through force, fraud,  
14      or coercion, causes the trafficked person to engage in conduct  
15      prohibited by:

16                   (A) Section [43.02](#) (Prostitution);

17                   (B) Section [43.03](#) (Promotion of Prostitution);

18                   (B-1) Section [43.031](#) (Online Promotion of  
19      Prostitution);

20                   (C) Section [43.04](#) (Aggravated Promotion of  
21      Prostitution);

22                   (C-1) Section [43.041](#) (Aggravated Online  
23      Promotion of Prostitution); or

24                   (D) Section [43.05](#) (Compelling Prostitution);

25               (4) receives a benefit from participating in a venture  
26      that involves an activity described by Subdivision (3) or engages  
27      in sexual conduct with a person trafficked in the manner described

1 in Subdivision (3);

2 (5) traffics a child or disabled individual with the  
3 intent that the trafficked child or disabled individual engage in  
4 forced labor or services, regardless of whether the person knows  
5 the age of the child or whether the person knows the victim is  
6 disabled;

7 (6) receives a benefit from participating in a venture  
8 that involves an activity described by Subdivision (5), including  
9 by receiving labor or services the person knows are forced labor or  
10 services, regardless of whether the person knows the age of the  
11 child or whether the person knows the victim is disabled;

12 (7) traffics a child or disabled individual,  
13 regardless of whether the person knows the age of the child or  
14 whether the person knows the victim is disabled, and by any means  
15 causes the trafficked child or disabled individual to engage in, or  
16 become the victim of, conduct prohibited by:

17 (A) Section 21.02 (Continuous Sexual Abuse of  
18 Young Child or Disabled Individual);

19 (B) Section 21.11 (Indecency with a Child);

20 (C) Section 22.011 (Sexual Assault);

21 (D) Section 22.021 (Aggravated Sexual Assault);

22 (E) Section 43.02 (Prostitution);

23 (E-1) Section 43.021 (Solicitation of  
24 Prostitution);

25 (F) Section 43.03 (Promotion of Prostitution);

26 (F-1) Section 43.031 (Online Promotion of

27 Prostitution);

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1 (G) Section [43.04](#) (Aggravated Promotion of  
2 Prostitution);

3 (G-1) Section [43.041](#) (Aggravated Online  
4 Promotion of Prostitution);

5 (H) Section [43.05](#) (Compelling Prostitution);

6 (I) Section [43.25](#) (Sexual Performance by a  
7 Child);

8 (J) Section [43.251](#) (Employment Harmful to  
9 Children); or

10 (K) Section [43.26](#) (Possession or Promotion of  
11 Child Pornography); or

12 (8) receives a benefit from participating in a venture  
13 that involves an activity described by Subdivision (7) or engages  
14 in sexual conduct with a child or disabled individual trafficked in  
15 the manner described in Subdivision (7), regardless of whether the  
16 person knows the age of the child or whether the person knows the  
17 victim is disabled.

18 SECTION 1.07. Section [20A.02\(b\)](#), Penal Code, as amended by  
19 Chapters 93 (S.B. 1527) and 452 (H.B. 3554), Acts of the 88th  
20 Legislature, Regular Session, 2023, is reenacted and amended to  
21 read as follows:

22 (b) Except as otherwise provided by this subsection and  
23 Subsection (b-1), an offense under this section is a felony of the  
24 second degree. An offense under this section is a felony of the  
25 first degree if:

26 (1) the applicable conduct constitutes an offense  
27 under Subsection (a)(5), (6), (7), or (8) [, regardless of whether

1 ~~the actor knows the age of the child or whether the actor knows the~~  
2 ~~victim is disabled at the time of the offense];~~

3 (2) the commission of the offense results in serious  
4 bodily injury to or the death of the person who is trafficked; ~~[or]~~

5 (3) the commission of the offense results in the death  
6 of an unborn child of the person who is trafficked; or

7 (4) the actor:

8 (A) used or exhibited a deadly weapon during the  
9 commission of the offense; or

10 (B) intentionally, knowingly, or recklessly  
11 impeded the normal breathing or circulation of the blood of the  
12 trafficked person by applying pressure to the person's throat or  
13 neck or by blocking the person's nose or mouth.

14 SECTION 1.08. Section [20A.02](#)(b-1), Penal Code, as amended  
15 by Chapters 451 (H.B. 3553) and 452 (H.B. 3554), Acts of the 88th  
16 Legislature, Regular Session, 2023, is reenacted and amended to  
17 read as follows:

18 (b-1) An offense under this section is a felony of the first  
19 degree punishable by imprisonment in the Texas Department of  
20 Criminal Justice for life or for a term of not more than 99 years or  
21 less than 25 years if it is shown on the trial of the offense that  
22 the actor committed the offense in a location that was:

23 (1) on the premises of or within 1,000 feet of the  
24 premises of:

25 (A) a school; ~~[or]~~

26 (B) an institution of higher education or private  
27 or independent institution of higher education, as defined by



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1 2025, the Office of Court Administration of the Texas Judicial  
2 System shall appoint a representative as required by Section  
3 [402.034\(c\)](#), Government Code, as amended by this article.

4 SECTION 1.11. As soon as practicable after September 1,  
5 2025:

6 (1) the executive commissioner of the Health and Human  
7 Services Commission shall:

8 (A) approve human trafficking prevention  
9 training courses as provided by Section 146.0075(b), Health and  
10 Safety Code, as added by this article; and

11 (B) adopt rules necessary to implement Section  
12 146.0075, Health and Safety Code, as added by this article; and

13 (2) the Department of State Health Services shall post  
14 on its Internet website the list of human trafficking prevention  
15 courses approved by the executive commissioner of the Health and  
16 Human Services Commission under Section 146.0075(b), Health and  
17 Safety Code, as added by this article.

18 SECTION 1.12. As soon as practicable after September 1,  
19 2025, the Texas Commission of Licensing and Regulation shall adopt  
20 the rules required by Section 1603.302, Occupations Code, as added  
21 by this article.

22 SECTION 1.13. An employee of a tattoo studio or body  
23 piercing studio is not required to complete a training course as  
24 required by Section 146.0075(a), Health and Safety Code, as added  
25 by this article, before January 1, 2026.

26 ARTICLE 2. PROSTITUTION

27 SECTION 2.01. Section [43.021\(b\)](#), Penal Code, is amended to

1 read as follows:

2 (b) An offense under Subsection (a) is a state jail felony,  
3 except that the offense is:

4 (1) a felony of the third degree if the actor has  
5 previously been convicted of an offense under Subsection (a) or  
6 under Section 43.02(b), as that law existed before September 1,  
7 2021; or

8 (2) a felony of the second degree if the person with  
9 respect to whom the actor offers or agrees to engage ~~[pay the fee~~  
10 ~~for the purpose of engaging]~~ in sexual conduct is:

11 (A) younger than 18 years of age, regardless of  
12 whether the actor knows the age of the person at the time of the  
13 offense;

14 (B) represented to the actor as being younger  
15 than 18 years of age; or

16 (C) believed by the actor to be younger than 18  
17 years of age.

18 SECTION 2.02. Subchapter A, Chapter 43, Penal Code, is  
19 amended by adding Section 43.032 to read as follows:

20 Sec. 43.032. CONTINUOUS PROMOTION OF PROSTITUTION. (a) A  
21 person commits an offense if, during a period that is 30 or more  
22 days in duration, the person engages two or more times in conduct  
23 that constitutes an offense under Section 43.03.

24 (b) If a jury is the trier of fact, members of the jury are  
25 not required to agree unanimously on which specific conduct engaged  
26 in by the defendant constituted an offense under Section 43.03 or on  
27 which exact date the defendant engaged in that conduct. The jury

1 must agree unanimously that the defendant, during a period that is  
2 30 or more days in duration, engaged two or more times in conduct  
3 that constituted an offense under Section 43.03.

4       (c) If the victim of an offense under Subsection (a) is the  
5 same victim as a victim of an offense under Section 43.03, a  
6 defendant may not be convicted of the offense under Section 43.03 in  
7 the same criminal action as the offense under Subsection (a),  
8 unless the offense under Section 43.03:

9           (1) is charged in the alternative;  
10          (2) occurred outside the period in which the offense  
11 alleged under Subsection (a) was committed; or  
12          (3) is considered by the trier of fact to be a lesser  
13 included offense of the offense alleged under Subsection (a).

14       (d) A defendant may not be charged with more than one count  
15 under Subsection (a) if all of the conduct that constitutes an  
16 offense under Section 43.03 is alleged to have been committed  
17 against the same victim.

18       (e) An offense under this section is a felony of the first  
19 degree.

20           SECTION 2.03. Article 17.081, Code of Criminal Procedure,  
21 is amended to read as follows:

22           Art. 17.081. ADDITIONAL REQUISITES OF BAIL BOND GIVEN BY  
23 CERTAIN DEFENDANTS. In addition to the requirements of Article  
24 17.08, a bail bond for a defendant charged with an offense under  
25 Section 20A.02, 20A.03, 43.02, 43.03, 43.031, 43.032, 43.04,  
26 43.041, or 43.05, Penal Code, must include the address,  
27 identification number, and state of issuance as shown on a valid

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1 driver's license or identification card for the defendant and any  
2 surety, including any agent executing the bail bond on behalf of a  
3 corporation acting as surety.

4 SECTION 2.04. Article [17.465\(b\)](#), Code of Criminal  
5 Procedure, is amended to read as follows:

6 (b) A magistrate shall require as a condition of release on  
7 bond that a defendant charged with an offense under Section [20A.02](#),  
8 [20A.03](#), [43.03](#), [43.031](#), [43.032](#), [43.04](#), [43.041](#), or [43.05](#), Penal Code,  
9 committed against a person 18 years of age or older may not:

10 (1) communicate directly or indirectly with the  
11 victim; or

12 (2) go to or near:

13 (A) the residence, place of employment, or  
14 business of the victim; or

15 (B) if applicable, a school, day-care facility,  
16 or similar facility where a dependent child of the victim is in  
17 attendance.

18 SECTION 2.05. Article [42A.054\(e\)](#), Code of Criminal  
19 Procedure, is amended to read as follows:

20 (e) Notwithstanding Subsection (a), with respect to an  
21 offense committed by a defendant under Section [43.04](#) or [43.05](#),  
22 Penal Code, a judge may place the defendant on community  
23 supervision as permitted by Article [42A.053](#) if the judge makes a  
24 finding that the defendant committed the offense solely as a victim  
25 of an offense under Section [20A.02](#), [20A.03](#), [43.03](#), [43.032](#), [43.04](#),  
26 or [43.05](#), Penal Code.

27 SECTION 2.06. Article [56B.003\(13\)](#), Code of Criminal

1 Procedure, is amended to read as follows:

2 (13) "Trafficking of persons" means any offense that  
3 results in a person engaging in forced labor or services, including  
4 sexual conduct, and that may be prosecuted under Section 20A.02,  
5 20A.03, 43.03, 43.031, 43.032, 43.04, 43.041, 43.05, 43.25, 43.251,  
6 or 43.26, Penal Code.

7 SECTION 2.07. Article 58.051(11), Code of Criminal  
8 Procedure, is amended to read as follows:

9 (11) "Trafficking of persons" means any conduct that:

10 (A) constitutes an offense under Section 20A.02,  
11 20A.03, 43.03, 43.031, 43.032, 43.04, 43.041, 43.05, 43.25, 43.251,  
12 or 43.26, Penal Code; and

13 (B) results in a person:

14 (i) engaging in forced labor or services;  
15 or

16 (ii) otherwise becoming a victim of the  
17 offense.

18 SECTION 2.08. Section 169.002(b), Health and Safety Code,  
19 is amended to read as follows:

20 (b) A defendant is eligible to participate in a first  
21 offender solicitation of prostitution prevention program  
22 established under this chapter only if:

23 (1) the attorney representing the state consents to  
24 the defendant's participation in the program; and

25 (2) the court in which the criminal case is pending  
26 finds that the defendant has not been previously convicted of:

27 (A) an offense under Section 20A.02, 43.02(b), as

1 that law existed before September 1, 2021, 43.021, 43.03, 43.031,  
2 43.032, 43.04, 43.041, or 43.05, Penal Code;

3 (B) an offense listed in Article [42A.054](#)(a), Code  
4 of Criminal Procedure; or

5 (C) an offense punishable as a felony under  
6 Chapter [481](#).

7 SECTION 2.09. Section [455.005](#)(c), Occupations Code, is  
8 amended to read as follows:

9 (c) A political subdivision may not adopt a regulation of  
10 the type described by Subsection (b) that is more restrictive for  
11 massage establishments than for other health care establishments,  
12 except that a more restrictive regulation of the type described by  
13 Subsection (b) may be adopted:

14 (1) as provided by Chapter [243](#), Local Government Code;  
15 or

16 (2) if the regulation relates to the location,  
17 ownership, hours of operation, or operation of a massage  
18 establishment:

19 (A) where three or more arrests have occurred or  
20 citations in lieu of arrest have been issued for an offense under  
21 Section [43.02](#), [43.021](#), [43.03](#), 43.032, [43.04](#), [43.05](#), or [71.02](#), Penal  
22 Code, that was committed at the massage establishment;

23 (B) where an offense under Chapter [20A](#), or  
24 Section [34.02](#), [43.02](#), [43.021](#), [43.03](#), 43.032, [43.04](#), [43.05](#), or  
25 [71.02](#), Penal Code, was committed that resulted in a conviction;

26 (C) that is operating at a location where another  
27 massage establishment against which a sanction was imposed for a

1 violation of this chapter previously operated; or  
2 (D) that is operating at a location where another  
3 massage establishment owned or operated by an individual against  
4 whom a sanction was imposed for a violation of this chapter  
5 previously operated.

6 SECTION 2.10. Section 455.152, Occupations Code, as amended  
7 by Chapters 13 (S.B. 483) and 440 (H.B. 2016), Acts of the 88th  
8 Legislature, Regular Session, 2023, is reenacted and amended to  
9 read as follows:

10 Sec. 455.152. INELIGIBILITY FOR LICENSE. A person is not  
11 eligible for a license as a massage establishment, massage school,  
12 massage therapist, or massage therapy instructor if the person is  
13 an individual and has been convicted of, entered a plea of nolo  
14 contendere or guilty to, or received deferred adjudication for:

15 (1) an offense under Chapter 20A, Penal Code [~~Section~~  
16 ~~22.011 or 22.021 Penal Code~~], or Section 43.021, 43.03, 43.031,  
17 43.032, 43.04, 43.041, or 43.05, Penal Code; [~~or~~]

18 (2) an offense under federal law or the laws of another  
19 state containing elements that are substantially similar to the  
20 elements of an offense described by Subdivision (1); or

21 (3) an offense under Section 22.011 or 22.021, Penal  
22 Code.

23 SECTION 2.11. Section 455.251(b), Occupations Code, is  
24 amended to read as follows:

25 (b) The commission or executive director shall revoke the  
26 license of a person licensed as a massage therapist or massage  
27 therapy instructor if:

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3 (A) an offense under Chapter 20A, Penal Code, or  
4 Section 43.021, 43.03, 43.031, 43.032, 43.04, 43.041, or 43.05,  
5 Penal Code; or

6 (B) an offense under federal law or the laws of  
7 another state containing elements that are substantially similar to  
8 the elements of an offense described by Paragraph (A); or

12 SECTION 2.12. The change in law made by this article to  
13 Section 43.021(b), Penal Code, applies only to an offense committed  
14 on or after September 1, 2025. An offense committed before  
15 September 1, 2025, is governed by the law in effect on the date the  
16 offense was committed, and the former law is continued in effect for  
17 that purpose. For purposes of this section, an offense was  
18 committed before September 1, 2025, if any element of the offense  
19 occurred before that date.

### ARTICLE 3. CHILD PORNOGRAPHY

21 SECTION 3.01. Section 43.26(d), Penal Code, as amended by  
22 Chapters 93 (S.B. 1527) and 1041 (S.B. 129), Acts of the 88th  
23 Legislature, Regular Session, 2023, is reenacted and amended to  
24 read as follows:

25 (d) An offense under Subsection (a) is:

26 (1) a felony of the third degree if the person  
27 possesses visual material that contains fewer than 10 [100] visual

26 SECTION 3.02. Section 43.26(g), Penal Code, is amended to  
27 read as follows:

4 (1) the person promotes or possesses with intent to  
5 promote:

10                           (2)    it is shown on the trial of the offense that the  
11 person has been previously convicted of an offense under this  
12 section [that subsection].

13 SECTION 3.03. The following provisions of the Penal Code  
14 are repealed:

15 (1) Section 43.26(d-1), as added by Chapter 93 (S.B.  
16 1527), Acts of the 88th Legislature, Regular Session, 2023; and  
17 (2) Section 43.26(d-2).

18 SECTION 3.04. The changes in law made by this article to  
19 Section 43.26, Penal Code, apply only to an offense committed on or  
20 after September 1, 2025. An offense committed before September 1,  
21 2025, is governed by the law in effect on the date the offense was  
22 committed, and the former law is continued in effect for that  
23 purpose. For purposes of this section, an offense was committed  
24 before September 1, 2025, if any element of the offense was  
25 committed before that date.

1       ARTICLE 4. PROSECUTION OF SEXUAL OR ASSAULTIVE OFFENSES OR  
2       PROSECUTION OF FAILURE TO STOP OR REPORT THOSE OFFENSES  
3       SECTION 4.01. Article [12.01](#), Code of Criminal Procedure, as  
4       amended by Chapters 93 (S.B. 1527), 118 (H.B. 467), 127 (H.B. 1207),  
5       422 (H.B. 1769), 520 (H.B. 3025), 689 (H.B. 1506), 704 (H.B. 2019),  
6       709 (H.B. 2190), 768 (H.B. 4595), 830 (H.B. 2187), 885 (H.B. 4635),  
7       and 1041 (S.B. 129), Acts of the 88th Legislature, Regular Session,  
8       2023, is reenacted and amended to read as follows:

9           Art. 12.01. FELONIES. Except as provided in Articles  
10       12.015 and [12.03](#), felony indictments may be presented within these  
11       limits, and not afterward:

12           (1) no limitation:

13                   (A) murder and manslaughter;

14                   (B) sexual assault under Section [22.011\(a\)\(2\)](#),  
15       Penal Code, or aggravated sexual assault under Section  
16       [22.021\(a\)\(1\)\(B\)](#), Penal Code;

17                   (C) sexual assault, if:

18                           (i) during the investigation of the offense  
19       biological matter is collected and the matter:

20                                   (a) has not yet been subjected to  
21       forensic DNA testing; or

22                                   (b) has been subjected to forensic DNA  
23       testing and the testing results show that the matter does not match  
24       the victim or any other person whose identity is readily  
25       ascertained; or

26                                   (ii) probable cause exists to believe that  
27       the defendant has committed the same or a similar sex offense

1 against five or more victims;

2 (D) continuous sexual abuse of young child or

3 disabled individual under Section 21.02, Penal Code;

4 (E) indecency with a child under Section 21.11,

5 Penal Code;

6 (F) an offense involving leaving the scene of a

7 collision under Section 550.021, Transportation Code, if the

8 collision resulted in the death of a person;

9 (G) trafficking of persons under Section

10 20A.02(a)(7) or (8), Penal Code;

11 (H) continuous trafficking of persons under

12 Section 20A.03, Penal Code;

13 (I) compelling prostitution under Section

14 43.05(a)(2) or (3), Penal Code; ~~[or]~~

15 (J) tampering with physical evidence under

16 Section 37.09(a)(1) or (d)(1), Penal Code, if:

17 (i) the evidence tampered with is a human

18 corpse, as defined by that section; or

19 (ii) the investigation of the offense shows

20 that a reasonable person in the position of the defendant at the

21 time of the commission of the offense would have cause to believe

22 that the evidence tampered with is related to a criminal homicide

23 under Chapter 19, Penal Code;

24 (K) ~~[or]~~ interference with child custody under

25 Section 25.03(a)(3), Penal Code;

26 (L) ~~[or]~~ burglary under Section 30.02, Penal

27 Code, if:

5 (ii) during the investigation of the  
6 offense biological matter is collected and the matter:

7 (a) has not yet been subjected to  
8 forensic DNA testing; or

9 (b) has been subjected to forensic DNA  
10 testing and the testing results show that the matter does not match  
11 the victim or any other person whose identity is readily  
12 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 (9) [~~(8)~~];

7 (F) arson;

8 (G) trafficking of persons under Section

9 [20A.02](#)(a)(1), (2), (3), or (4), Penal Code; or

10 (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;

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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;

17 (E) [~~(D)~~] abandoning or endangering an [a]  
18 ~~child,~~ elderly individual, or disabled individual;

19 (F) [~~(E)~~] insurance fraud;

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)(L) [~~(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 (D) of this article or Paragraph  
12 (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

11 SECTION 4.02. Section 2(a), Article 38.072, Code of  
12 Criminal Procedure, as amended by Chapters 284 (S.B. 643) and 710  
13 (H.B. 2846), Acts of the 81st Legislature, Regular Session, 2009,  
14 is reenacted and amended to read as follows:

15 (a) This article applies only to statements that:

16 (1) describe:

17 (A) the alleged offense; or

18 (B) if the statement is offered during the

19 punishment phase of the proceeding, a crime, wrong, or act other

20 than the alleged offense that is:

21 (i) described by Section 1;  
22 (ii) allegedly committed by the defendant  
23 against the child or person with a disability who is the victim of  
24 the offense or against another person who is a child younger than 18  
25 [14] years of age or a person with a disability; and

26 (iii) otherwise admissible as evidence  
27 under Article 38.37, Rule 404 or 405, Texas Rules of Evidence, or

1 another law or rule of evidence of this state;

2 (2) were made by the child or person with a disability  
3 against whom the charged offense or extraneous crime, wrong, or act  
4 was allegedly committed; and

5 (3) were made to the first person, 18 years of age or  
6 older, other than the defendant, to whom the child or person with a  
7 disability made a statement about the offense or extraneous crime,  
8 wrong, or act.

9 SECTION 4.03. Section 2, Article 38.072, Code of Criminal  
10 Procedure, is amended by adding Subsection (a-1) to read as  
11 follows:

12 (a-1) The trial court shall admit more than one statement  
13 under this article at a proceeding if each statement:

14 (1) meets the requirements of Subsection (a); and  
15 (2) describes different conduct by the defendant.

16 SECTION 4.04. Section 3, Article 38.072, Code of Criminal  
17 Procedure, is amended to read as follows:

18 Sec. 3. In this article, "person with a disability" has the  
19 same meaning as "disabled individual" as defined by Section 22.04,  
20 Penal Code [means a person 13 years of age or older who because of  
21 age or physical or mental disease, disability, or injury is  
22 substantially unable to protect the person's self from harm or to  
23 provide food, shelter, or medical care for the person's self].

24 SECTION 4.05. Section 1, Article 38.37, Code of Criminal  
25 Procedure, is amended to read as follows:

26 Sec. 1. (a) Subsection (b) applies to a proceeding in the  
27 prosecution of a defendant for an offense, or an attempt or

1 conspiracy to commit an offense, under the following provisions of  
2 the Penal Code:

3 (1) ~~if committed against a child under 17 years of~~  
4 ~~age:~~

5 ~~(A)~~ Chapter 21 (Sexual Offenses);  
6 (2) ~~(B)~~ Chapter 22 (Assaultive Offenses); ~~or~~  
7 (3) ~~(C)~~ Section 25.02 (Prohibited Sexual Conduct);  
8 ~~or~~

9 ~~(2) if committed against a person younger than 18~~  
10 ~~years of age:]~~

11 (4) ~~(A)~~ Section 43.25 (Sexual Performance by a  
12 Child);

13 (5) ~~(B)~~ Section 20A.02 ~~[20A.02(a)(5), (6), (7), or~~  
14 ~~(8)~~ (Trafficking of Persons);

15 (6) ~~(C)~~ Section 20A.03 (Continuous Trafficking of  
16 Persons) ~~[, if based partly or wholly on conduct that constitutes an~~  
17 ~~offense under Section 20A.02(a)(5), (6), (7), or (8)]~~; or

18 (7) ~~(D)~~ Section 43.05 ~~[43.05(a)(2)]~~ (Compelling  
19 Prostitution).

20 (b) Notwithstanding Rules 404 and 405, Texas Rules of  
21 Evidence, evidence of other crimes, wrongs, or acts committed by  
22 the defendant against the ~~child who is the~~ victim of the alleged  
23 offense shall be admitted for its bearing on relevant matters,  
24 including:

25 (1) the state of mind of the defendant and the victim  
26 ~~[child]~~; and

27 (2) the previous and subsequent relationship between

1 the defendant and the victim [child].

2 SECTION 4.06. Section 38.17, Penal Code, is amended to read  
3 as follows:

4 Sec. 38.17. FAILURE TO STOP OR REPORT [AGGRAVATED] SEXUAL  
5 OR ASSAULTIVE OFFENSE AGAINST [ASSAULT OF] CHILD. (a) A person[  
6 other than a person who has a relationship with a child described by  
7 section 22.04(b),] commits an offense if:

8 (1) the actor observes the commission or attempted  
9 commission of an offense [prohibited by Section 21.02 or  
10 22.021(a)(2)(B)] under circumstances in which a reasonable person  
11 would believe that an offense of a sexual or assaultive nature was  
12 being committed or was about to be committed against a [the] child;

13 (2) the actor fails to assist the child or immediately  
14 report the commission of the offense to a peace officer or law  
15 enforcement agency; and

16 (3) the actor could assist the child or immediately  
17 report the commission of the offense without placing the actor in  
18 danger of suffering serious bodily injury or death.

19 (b) An offense under this section is a felony of the third  
20 degree [class A misdemeanor].

21 (c) If conduct that constitutes an offense under this  
22 section also constitutes an offense under any other law, the actor  
23 may be prosecuted under this section, the other law, or both.

24 SECTION 4.07. The change in law made by this article to  
25 Article 12.01, Code of Criminal Procedure, does not apply to the  
26 prosecution of an offense under Section 38.17, Penal Code, if the  
27 prosecution of that offense becomes barred by limitation before

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1 September 1, 2025. The prosecution of that offense remains barred  
2 as if this article had not taken effect.

3 SECTION 4.08. The changes in law made by this article to  
4 Chapter 38, Code of Criminal Procedure, apply to a criminal  
5 proceeding that commences on or after September 1, 2025. A criminal  
6 proceeding that commences before September 1, 2025, is governed by  
7 the law in effect on the date the proceeding commenced, and the  
8 former law is continued in effect for that purpose.

9 SECTION 4.09. The change in law made by this article to  
10 Section 38.17, Penal Code, applies only to an offense committed on  
11 or after September 1, 2025. An offense committed before September  
12 1, 2025, is governed by the law in effect on the date the offense was  
13 committed, and the former law is continued in effect for that  
14 purpose. For purposes of this section, an offense was committed  
15 before September 1, 2025, if any element of the offense occurred  
16 before that date.

17 ARTICLE 5. EFFECTIVE DATE

18 SECTION 5.01. This Act takes effect September 1, 2025.