

AN ACT

relating to rights of a victim, guardian of a victim, or close relative of a deceased victim in certain criminal cases involving family violence, sexual or assaultive offenses, stalking, or a violation of a protective order or condition of bond and to the duration of certain protective orders.

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

SECTION 1. Article 56A.001, Code of Criminal Procedure, is amended by adding Subdivision (4-a) and amending Subdivision (7) to read as follows:

(4-a) "Family violence" means an offense under the following provisions of the Penal Code if the offense is committed against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code:

(A) Section 21.02;

(B) Section 21.11(a)(1);

(C) Section 22.01;

(D) Section 22.011;

(E) Section 22.02;

(F) Section 22.021;

(G) Section 22.04; and

(H) Section 25.11.

(7) "Victim" means a person who:

(A) is the victim of the offense of:

(i) sexual assault;

(ii) kidnapping;

(iii) aggravated robbery;

(iv) trafficking of persons; ~~or~~

(v) injury to a child, elderly individual,
or disabled individual; ~~or~~

(vi) family violence; or

(vii) stalking;

(B) has suffered personal injury or death as a
result of the criminal conduct of another; or

(C) is the victim of an offense committed under
Section 25.07, 25.071, or 25.072, Penal Code, if a violation that is
an element of the offense occurred through the commission of an
assault, aggravated assault, or sexual assault or the offense of
stalking, regardless of whether that violation occurred with
respect to a person whose relationship to or association with the
defendant is described by Section 71.0021(b), 71.003, or 71.005,
Family Code.

SECTION 2. Article 56A.051, Code of Criminal Procedure, is
amended by amending Subsection (a) and adding Subsection (d) to
read as follows:

(a) A victim, guardian of a victim, or close relative of a
deceased victim is entitled to the following rights within the
criminal justice system:

(1) the right to receive from a law enforcement agency
adequate protection from harm and threats of harm arising from

1 cooperation with prosecution efforts;

2 (2) the right to have the magistrate consider the
3 safety of the victim or the victim's family in setting the amount of
4 bail for the defendant;

5 (3) if requested, the right to be informed in the
6 manner provided by Article [56A.0525](#):

7 (A) by the attorney representing the state of
8 relevant court proceedings, including appellate proceedings, and
9 to be informed if those proceedings have been canceled or
10 rescheduled before the event; and

11 (B) by an appellate court of the court's
12 decisions, after the decisions are entered but before the decisions
13 are made public;

14 (4) when requested, the right to be informed in the
15 manner provided by Article [56A.0525](#):

16 (A) by a peace officer concerning the defendant's
17 right to bail and the procedures in criminal investigations; and

18 (B) by the office of the attorney representing
19 the state concerning the general procedures in the criminal justice
20 system, including general procedures in guilty plea negotiations
21 and arrangements, restitution, and the appeals and parole process;

22 (5) the right to provide pertinent information to a
23 community supervision and corrections department conducting a
24 presentencing investigation concerning the impact of the offense on
25 the victim and the victim's family by testimony, written statement,
26 or any other manner before any sentencing of the defendant;

27 (6) the right to receive information, in the manner

provided by Article 56A.0525:

(A) regarding compensation to victims of crime as provided by Chapter 56B, including information related to the costs that may be compensated under that chapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that chapter;

(B) for a victim of a sexual assault, regarding the payment under Subchapter G for a forensic medical examination; and

(C) when requested, providing a referral to available social service agencies that may offer additional assistance;

(7) the right to:

(A) be informed, on request, and in the manner provided by Article 56A.0525, of parole procedures;

(B) participate in the parole process;

(C) provide to the board for inclusion in the defendant's file information to be considered by the board before the parole of any defendant convicted of any offense subject to this chapter; and

(D) be notified in the manner provided by Article 56A.0525, if requested, of:

(i) parole proceedings concerning a defendant in the victim's case;

(ii) ~~and of~~ the defendant's release on parole for the offense involving the victim, including the county in which the defendant is required to reside, and the

1 nonconfidential conditions of the defendant's parole, including
2 any condition:

3 (a) prohibiting the defendant from
4 going near the victim's home or work; or

5 (b) requiring the defendant to
6 complete a battering intervention and prevention program
7 established under Article 42.141;

8 (iii) any offense with which the defendant
9 is charged while released on parole for the offense involving the
10 victim, if the department is aware of the offense;

11 (iv) the issuance of any warrant under
12 Section 508.251, Government Code, for the return of the defendant;
13 and

14 (v) any revocation of the defendant's
15 parole for the offense involving the victim;

16 (8) the right to be provided with a waiting area,
17 separate or secure from other witnesses, including the defendant
18 and relatives of the defendant, before testifying in any proceeding
19 concerning the defendant; if a separate waiting area is not
20 available, other safeguards should be taken to minimize the
21 victim's contact with the defendant and the defendant's relatives
22 and witnesses, before and during court proceedings;

23 (9) the right to the prompt return of any of the
24 victim's property that is held by a law enforcement agency or the
25 attorney representing the state as evidence when the property is no
26 longer required for that purpose;

27 (10) the right to have the attorney representing the

1 state notify the victim's employer, if requested, that the victim's
2 cooperation and testimony is necessary in a proceeding that may
3 require the victim to be absent from work for good cause;

4 (11) the right to request victim-offender mediation
5 coordinated by the victim services division of the department;

6 (12) the right to be informed, in the manner provided
7 by Article 56A.0525, of the uses of a victim impact statement and
8 the statement's purpose in the criminal justice system as described
9 by Subchapter D, to complete the victim impact statement, and to
10 have the victim impact statement considered:

11 (A) by the attorney representing the state and
12 the judge before sentencing or before a plea bargain agreement is
13 accepted; and

14 (B) by the board before a defendant is released
15 on parole;

16 (13) for a victim of an assault, aggravated assault,
17 or sexual assault who is younger than 17 years of age or whose case
18 involves family violence, [~~as defined by Section 71.004, Family~~
19 ~~Code,~~] the right to have the court consider the impact on the victim
20 of a continuance requested by the defendant; if requested by the
21 attorney representing the state or by the defendant's attorney, the
22 court shall state on the record the reason for granting or denying
23 the continuance; and

24 (14) if the offense is a capital felony, the right to:

25 (A) receive by mail from the court a written
26 explanation of defense-initiated victim outreach if the court has
27 authorized expenditures for a defense-initiated victim outreach

1 specialist;

2 (B) not be contacted by the victim outreach
3 specialist unless the victim, guardian, or relative has consented
4 to the contact by providing a written notice to the court; and

5 (C) designate a victim service provider to
6 receive all communications from a victim outreach specialist acting
7 on behalf of any person.

8 (d) An advocate for a victim is entitled to obtain on behalf
9 of the victim the information described by Subsection (a)(7)(D).

10 SECTION 3. The heading to Article 56A.052, Code of Criminal
11 Procedure, is amended to read as follows:

12 Art. 56A.052. ADDITIONAL RIGHTS OF VICTIMS OF SEXUAL
13 ASSAULT, INDECENT ASSAULT, [~~STALKING~~] OR TRAFFICKING.

14 SECTION 4. Articles 56A.052(a), (c), and (d), Code of
15 Criminal Procedure, are amended to read as follows:

16 (a) A victim, guardian of a victim, or close relative of a
17 deceased victim of an offense under Section 21.02, 21.11, 22.011,
18 22.012, or 22.021, [~~or 42.072~~] Penal Code, is entitled to the
19 following rights within the criminal justice system:

20 (1) if requested, the right to a disclosure of
21 information, in the manner provided by Article 56A.0525, regarding:

22 (A) any evidence that was collected during the
23 investigation of the offense, unless disclosing the information
24 would interfere with the investigation or prosecution of the
25 offense, in which event the victim, guardian, or relative shall be
26 informed of the estimated date on which that information is
27 expected to be disclosed; and

1 (B) the status of any analysis being performed on
2 any evidence described by Paragraph (A);

3 (2) if requested, the right to be notified in the
4 manner provided by Article [56A.0525](#):

5 (A) at the time a request is submitted to a crime
6 laboratory to process and analyze any evidence that was collected
7 during the investigation of the offense;

8 (B) at the time of the submission of a request to
9 compare any biological evidence collected during the investigation
10 of the offense with DNA profiles maintained in a state or federal
11 DNA database; and

12 (C) of the results of the comparison described by
13 Paragraph (B), unless disclosing the results would interfere with
14 the investigation or prosecution of the offense, in which event the
15 victim, guardian, or relative shall be informed of the estimated
16 date on which those results are expected to be disclosed;

17 (3) if requested, the right to counseling regarding
18 acquired immune deficiency syndrome (AIDS) and human
19 immunodeficiency virus (HIV) infection;

20 (4) if requested, the right to be informed about, and
21 confer with the attorney representing the state regarding, the
22 disposition of the offense, including sharing the victim's,
23 guardian's, or relative's views regarding:

24 (A) a decision not to file charges;

25 (B) the dismissal of charges;

26 (C) the use of a pretrial intervention program;

27 or

(D) a plea bargain agreement; and

(5) for the victim, the right to:

(A) testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS; and

(B) a forensic medical examination as provided by Subchapter G.

(c) A victim, guardian of a victim, or close relative of a deceased victim may designate a person, including an entity that provides services to victims of an offense described by Subsection (a), to receive any notice requested under Subsection (a)(2). This person may not be the person charged with the offense.

(d) This subsection applies only to a victim of an offense under Section 20A.02, 20A.03, 21.02, 21.11, 22.011, 22.012, 22.021, ~~42.072~~ or 43.05, Penal Code. A victim described by this subsection or a parent or guardian of the victim, if the victim is younger than 18 years of age or an adult ward, is entitled to the following rights within the criminal justice system:

(1) the right to be informed in the manner provided by Article 56A.0525:

(A) that the victim or, if the victim is younger than 18 years of age or an adult ward, the victim's parent or guardian or another adult acting on the victim's behalf may file an application for a protective order under Article 7B.001;

(B) of the court in which the application for a protective order may be filed;

1 (C) that, on request of the victim or, if the
2 victim is younger than 18 years of age or an adult ward, on request
3 of the victim's parent or guardian or another adult acting on the
4 victim's behalf, the attorney representing the state may, subject
5 to the Texas Disciplinary Rules of Professional Conduct, file the
6 application for a protective order on behalf of the requestor; and

7 (D) that, subject to the Texas Disciplinary Rules
8 of Professional Conduct, the attorney representing the state
9 generally is required to file the application for a protective
10 order with respect to the victim if the defendant is convicted of or
11 placed on deferred adjudication community supervision for the
12 offense;

13 (2) the right to:

14 (A) request that the attorney representing the
15 state, subject to the Texas Disciplinary Rules of Professional
16 Conduct, file an application for a protective order described by
17 Subdivision (1); and

18 (B) be notified in the manner provided by Article
19 56A.0525 when the attorney representing the state files an
20 application for a protective order under Article 7B.001;

21 (3) if the victim or the victim's parent or guardian,
22 as applicable, is present when the defendant is convicted or placed
23 on deferred adjudication community supervision, the right to:

24 (A) be given by the court the information
25 described by Subdivision (1), in the manner provided by Article
26 56A.0525; and

27 (B) file an application for a protective order

under Article 7B.001 immediately following the defendant's conviction or placement on deferred adjudication community supervision if the court has jurisdiction over the application; and

(4) if the victim or the victim's parent or guardian, as applicable, is not present when the defendant is convicted or placed on deferred adjudication community supervision, the right to be given by the attorney representing the state the information described by Subdivision (1), in the manner provided by Article 56A.0525.

SECTION 5. Subchapter B, Chapter 56A, Code of Criminal Procedure, is amended by adding Article 56A.0521 to read as follows:

Art. 56A.0521. ADDITIONAL RIGHTS OF VICTIMS OF CERTAIN FAMILY VIOLENCE OFFENSES, STALKING, AND VIOLATION OF PROTECTIVE ORDER OR CONDITION OF BOND. (a) This article applies only to an offense:

(1) involving family violence;

(2) under Section 42.072, Penal Code; or

(3) under Section 25.07, 25.071, or 25.072, Penal Code, if a violation that is an element of the offense occurred through the commission of an assault, aggravated assault, or sexual assault or the offense of stalking, regardless of whether that violation occurred with respect to a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code.

(b) A victim, guardian of a victim, or close relative of a deceased victim of an offense described by Subsection (a) is

1 entitled to the following rights within the criminal justice
2 system:

3 (1) if requested, the right to a disclosure of
4 information regarding:

5 (A) any evidence that was collected during the
6 investigation of the offense, unless disclosing the information
7 would interfere with the investigation or prosecution of the
8 offense, in which event the victim, guardian, or relative shall be
9 informed of the estimated date on which that information is
10 expected to be disclosed; and

11 (B) the status of any analysis being performed on
12 any evidence described by Paragraph (A);

13 (2) if requested, the right to be notified at the time
14 a request is submitted to a crime laboratory to process and analyze
15 any evidence that was collected during the investigation of the
16 offense;

17 (3) if requested, the right to be informed about, and
18 confer with the attorney representing the state regarding, the
19 disposition of the offense, including sharing the victim's,
20 guardian's, or relative's views regarding:

21 (A) a decision not to file charges;

22 (B) the dismissal of charges;

23 (C) the use of a pretrial intervention program;

24 or

25 (D) a plea bargain agreement;

26 (4) the right to be notified that the attorney
27 representing the state does not represent the victim, guardian of a

1 victim, or close relative of a deceased victim; and

2 (5) for an offense under Section 42.072, Penal Code,
3 all of the rights provided to victims, parents, and guardians as
4 described by Article 56A.052(d), for the offenses to which that
5 subsection applies.

6 (c) Subject to Subsection (d), a victim, guardian of a
7 victim, or close relative of a deceased victim who requests to be
8 notified or receive information under Subsection (b) must:

9 (1) provide a current address and phone number to the
10 attorney representing the state and the law enforcement agency that
11 is investigating the offense;

12 (2) inform the attorney representing the state and the
13 law enforcement agency of any change in the address or phone number;
14 and

15 (3) if the victim, guardian, or relative chooses to
16 receive notifications by e-mail, provide an e-mail address and
17 update any change in that e-mail address.

18 (d) A victim, guardian of a victim, or close relative of a
19 deceased victim may designate a person, including an entity that
20 provides services to victims of an offense described by Subsection
21 (a), to receive any notice requested under Subsection (b)(2). This
22 person may not be the person charged with the offense.

23 (e) If a victim of an offense described by Subsection (a) is
24 also entitled to additional rights under Article 56A.052, or if a
25 conflict exists between this article and Article 56A.052, that
26 article controls.

27 SECTION 6. Article 56A.501, Code of Criminal Procedure, is

amended to read as follows:

Art. 56A.501. DEFINITION [~~DEFINITIONS~~]. In this subchapter, "correctional" ~~+~~

~~[(1) "Correctional"]~~ facility" has the meaning assigned by Section 1.07, Penal Code.

~~[(2) "Family violence" has the meaning assigned by Section 71.004, Family Code.]~~

SECTION 7. Section 85.001(d), Family Code, is amended to read as follows:

(d) If the court renders a protective order for a period of more than two years under Section 85.025(a-1), the court must include in the order a finding described by that subsection ~~[Section 85.025(a-1)]~~.

SECTION 8. Section 85.025, Family Code, is amended by adding Subsections (a-2), (a-3), and (a-4) and amending Subsections (b-1) and (c) to read as follows:

(a-2) If an order under this subtitle is rendered against a respondent who is a party to a suit for dissolution of a marriage in which the applicant or a member of the applicant's family or household is the other party, the order is effective until the second anniversary of the date on which the final decree of dissolution of the marriage is approved and signed by the judge.

(a-3) If an order under this subtitle is rendered against a respondent who is a party to a suit affecting the parent-child relationship in which the applicant or a member of the applicant's family or household is also a party, the order is effective until the second anniversary of the date on which the final order in the

1 suit is rendered by the court.

2 (a-4) If an order under this subtitle is rendered against a
3 respondent who is charged with a criminal offense involving family
4 violence under Title 5, Penal Code, or an offense under Section
5 25.11, Penal Code, the order is effective until the second
6 anniversary of the date of the final disposition of the criminal
7 case.

8 (b-1) Following the filing of a motion under Subsection (b),
9 a person who is the subject of a protective order issued under
10 Subsection (a-1), (a-2), (a-3), or (a-4) that is effective for a
11 period that exceeds two years may file not more than one subsequent
12 motion requesting that the court review the protective order and
13 determine whether there is a continuing need for the order. The
14 subsequent motion may not be filed earlier than the first
15 anniversary of the date on which the court rendered an order on the
16 previous motion by the person.

17 (c) If a person who is the subject of a protective order is
18 confined or imprisoned on the date the protective order would
19 expire under Subsection (a), ~~[or]~~ (a-1), (a-2), (a-3), or (a-4) or
20 if the protective order would expire not later than the first
21 anniversary of the date the person is released from confinement or
22 imprisonment, the period for which the order is effective is
23 extended, and the order expires on:

24 (1) the first anniversary of the date the person is
25 released from confinement or imprisonment, if the person was
26 sentenced to confinement or imprisonment for more than five years;
27 or

1 (2) the second anniversary of the date the person is
2 released from confinement or imprisonment, if the person was
3 sentenced to confinement or imprisonment for five years or less.

4 SECTION 9. Section 508.313, Government Code, is amended by
5 adding Subsection (g) to read as follows:

6 (g) This section does not apply to information provided in
7 accordance with Article 56A.051, Code of Criminal Procedure.

8 SECTION 10. The change in law made by this Act applies only
9 to an offense committed on or after the effective date of this Act.
10 An offense committed before the effective date of this Act is
11 governed by the law in effect on the date the offense was committed,
12 and the former law is continued in effect for that purpose. For
13 purposes of this section, an offense was committed before the
14 effective date of this Act if any element of the offense occurred
15 before that date.

16 SECTION 11. The changes in law made by this Act to Chapter
17 85, Family Code, apply only to a protective order rendered on or
18 after the effective date of this Act. A protective order rendered
19 before the effective date of this Act is governed by the law in
20 effect on the date the order is rendered, and the former law is
21 continued in effect for that purpose.

22 SECTION 12. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1120 passed the Senate on April 7, 2025, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendments on May 26, 2025, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1120 passed the House, with amendments, on May 23, 2025, by the following vote: Yeas 128, Nays 7, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor